

(5) is an agreement with respect to environmental goods entered into with WTO members with respect to which a notification has been made in a manner consistent with section 4204(a)(1)(A) of this title as of June 29, 2015,

and results from negotiations that were commenced before June 29, 2015, subsection (b) shall apply.

(b) Treatment of agreements

In the case of any agreement to which subsection (a) applies, the applicability of the trade authorities procedures to implementing bills shall be determined without regard to the requirements of section 4204(a) of this title (relating only to notice prior to initiating negotiations), and any resolution under paragraph (1)(B), (3)(C), or (4)(C) of section 4205(b) of this title shall not be in order on the basis of a failure or refusal to comply with the provisions of section 4204(a) of this title, if (and only if) the President, as soon as feasible after June 29, 2015—

(1) notifies Congress of the negotiations described in subsection (a), the specific United States objectives in the negotiations, and whether the President is seeking a new agreement or changes to an existing agreement; and

(2) before and after submission of the notice, consults regarding the negotiations with the committees referred to in section 4204(a)(1)(B) of this title and the House and Senate Advisory Groups on Negotiations convened under section 4203(c) of this title.

(c) Agreement by Asia-Pacific Economic Cooperation members to reduce rates of duty on certain environmental goods

Notwithstanding the notification requirement described in section 4202(a)(2) of this title, the President may exercise the proclamation authority provided for in section 4202(a)(1)(B) of this title to implement an agreement by members of the Asia-Pacific Economic Cooperation (APEC) to reduce any rate of duty on certain environmental goods included in Annex C of the APEC Leaders Declaration issued on September 9, 2012, if (and only if) the President, as soon as feasible after December 18, 2015, and before exercising proclamation authority under section 4202(a)(1)(B) of this title, notifies Congress of the negotiations relating to the agreement and the specific United States objectives in the negotiations.

(Pub. L. 114–26, title I, §107, June 29, 2015, 129 Stat. 355; Pub. L. 114–113, div. Q, title V, §502, Dec. 18, 2015, 129 Stat. 3127.)

AMENDMENTS

2015—Subsec. (c). Pub. L. 114–113 added subsec. (c).

DELEGATION OF FUNCTIONS

For delegation of functions of President under this section, see Ex. Ord. No. 13701, July 17, 2015, 80 F.R. 43903, set out as a note under section 4201 of this title.

§ 4207. Sovereignty

(a) United States law to prevail in event of conflict

No provision of any trade agreement entered into under section 4202(b) of this title, nor the

application of any such provision to any person or circumstance, that is inconsistent with any law of the United States, any State of the United States, or any locality of the United States shall have effect.

(b) Amendments or modifications of United States law

No provision of any trade agreement entered into under section 4202(b) of this title shall prevent the United States, any State of the United States, or any locality of the United States from amending or modifying any law of the United States, that State, or that locality (as the case may be).

(c) Dispute settlement reports

Reports, including findings and recommendations, issued by dispute settlement panels convened pursuant to any trade agreement entered into under section 4202(b) of this title shall have no binding effect on the law of the United States, the Government of the United States, or the law or government of any State or locality of the United States.

(Pub. L. 114–26, title I, §108, June 29, 2015, 129 Stat. 356.)

§ 4208. Interests of small businesses

(a) Sense of Congress

It is the sense of Congress that—

(1) the United States Trade Representative should facilitate participation by small businesses in the trade negotiation process; and

(2) the functions of the Office of the United States Trade Representative relating to small businesses should continue to be reflected in the title of the Assistant United States Trade Representative assigned the responsibility for small businesses.

(b) Consideration of small business interests

The Assistant United States Trade Representative for Small Business, Market Access, and Industrial Competitiveness shall be responsible for ensuring that the interests of small businesses are considered in all trade negotiations in accordance with the objective described in section 4201(a)(8) of this title.

(Pub. L. 114–26, title I, §109, June 29, 2015, 129 Stat. 356.)

§ 4209. Application of certain provisions

For purposes of applying sections 2135, 2136, and 2137 of this title—

(1) any trade agreement entered into under section 4202 of this title shall be treated as an agreement entered into under section 2111 or 2112 of this title, as appropriate; and

(2) any proclamation or Executive order issued pursuant to a trade agreement entered into under section 4202 of this title shall be treated as a proclamation or Executive order issued pursuant to a trade agreement entered into under section 2112 of this title.

(Pub. L. 114–26, title I, §110(b), June 29, 2015, 129 Stat. 358.)

§ 4210. Definitions

In this chapter: