

(A) Interest accrued under section 1677g of this title.

(B) Interest accrued under section 1505(d) of this title.

(C) Equitable interest under common law and interest under section 580 of this title awarded by a court against a surety under its bond for late payment of antidumping duties, countervailing duties, or interest described in subparagraph (A) or (B).

(d) Definitions

In this section:

(1) Antidumping duties

The term “antidumping duties” means antidumping duties imposed under section 1673 of this title or under the Antidumping Act, 1921 (title II of the Act of May 27, 1921; 42 Stat. 11, chapter 14).

(2) Countervailing duties

The term “countervailing duties” means countervailing duties imposed under section 1671 of this title.

(Pub. L. 114–125, title VI, §605, Feb. 24, 2016, 130 Stat. 187.)

REFERENCES IN TEXT

Section 1675c of this title (repealed by subtitle F of title VII of the Deficit Reduction Act of 2005), referred to in subsecs. (a) and (b), means section 1675c of this title, which was repealed by Pub. L. 109–171, title VII, §7601(a), Feb. 8, 2006, 120 Stat. 154, and which related to an annual distribution to certain domestic producers known as the “continued dumping and subsidy offset”. Subsec. (e) of section 1675c related to special accounts established in the Treasury of the United States for certain antidumping and countervailing duty orders and findings.

Section 822 of the Claims Resolution Act of 2010, referred to in subsec. (b)(2), is section 822 of Pub. L. 111–291, which is set out as a note under section 1675c of this title.

The Antidumping Act, 1921, referred to in subsec. (d)(1), is act May 27, 1921, ch. 14, title II, 42 Stat. 11, which was classified generally to sections 160 to 171 of this title, and was repealed by Pub. L. 96–39, title I, §106(a), July 26, 1979, 93 Stat. 193.

§ 4402. Illicitly imported, exported, or trafficked cultural property, archaeological or ethnological materials, and fish, wildlife, and plants

(a) In general

The Commissioner and the Director of U.S. Immigration and Customs Enforcement shall ensure that appropriate personnel of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, as the case may be, are trained in the detection, identification, detention, seizure, and forfeiture of cultural property, archaeological or ethnological materials, and fish, wildlife, and plants, the importation, exportation, or trafficking of which violates the laws of the United States.

(b) Training

The Commissioner and the Director are authorized to accept training and other support services from experts outside of the Federal Government with respect to the detection, identification, detention, seizure, and forfeiture of

cultural property, archaeological or ethnological materials, or fish, wildlife, and plants described in subsection (a).

(Pub. L. 114–125, title VI, §606, Feb. 24, 2016, 130 Stat. 188.)

§ 4403. Honey transshipment

(a) In general

The Commissioner shall direct appropriate personnel and the use of resources of U.S. Customs and Border Protection to address concerns that honey is being imported into the United States in violation of the customs and trade laws of the United States.

(b) Country of origin

(1) In general

The Commissioner shall compile a database of the individual characteristics of honey produced in foreign countries to facilitate the verification of country of origin markings of imported honey.

(2) Engagement with foreign governments

The Commissioner shall seek to engage the customs agencies of foreign governments for assistance in compiling the database described in paragraph (1).

(3) Consultation with industry

In compiling the database described in paragraph (1), the Commissioner shall consult with entities in the honey industry regarding the development of industry standards for honey identification.

(4) Consultation with Food and Drug Administration

In compiling the database described in paragraph (1), the Commissioner shall consult with the Commissioner of Food and Drugs.

(c) Report required

Not later than 180 days after February 24, 2016, the Commissioner shall submit to Congress a report that—

(1) describes and assesses the limitations in the existing analysis capabilities of laboratories with respect to determining the country of origin of honey samples or the percentage of honey contained in a sample; and

(2) includes any recommendations of the Commissioner for improving such capabilities.

(d) Sense of Congress

It is the sense of Congress that the Commissioner of Food and Drugs should promptly establish a national standard of identity for honey for the Commissioner of U.S. Customs and Border Protection to use to ensure that imports of honey are—

(1) classified accurately for purposes of assessing duties; and

(2) denied entry into the United States if such imports pose a threat to the health or safety of consumers in the United States.

(Pub. L. 114–125, title VI, §608, Feb. 24, 2016, 130 Stat. 189.)

§ 4404. Report on actions taken by United States Trade Representative

Not later than one year after the appointment of the first Chief Innovation and Intellectual

Property Negotiator pursuant to paragraph (2) of section 2171(b) of this title, as amended by subsection (a),¹ and annually thereafter, the United States Trade Representative shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report describing in detail—

(1) enforcement actions taken by the Trade Representative during the one-year period preceding the submission of the report to ensure the protection of United States innovation and intellectual property interests; and

(2) other actions taken by the Trade Representative to advance United States innovation and intellectual property interests.

(Pub. L. 114–125, title VI, §609(c), Feb. 24, 2016, 130 Stat. 190.)

REFERENCES IN TEXT

Subsection (a), referred to in text, means section 609(a) of Pub. L. 114–125, par. (1) of which amended section 2171(b)(2) of this title.

§ 4405. Trade Enforcement Trust Fund

(a) Establishment

There is established in the Treasury of the United States a trust fund to be known as the Trade Enforcement Trust Fund (in this section referred to as the “Trust Fund”), consisting of amounts transferred to the Trust Fund under subsection (b) and any amounts that may be credited to the Trust Fund under subsection (c).

(b) Transfer of amounts

(1) In general

The Secretary of the Treasury shall transfer to the Trust Fund, from the general fund of the Treasury, for each fiscal year that begins on or after February 24, 2016, through fiscal year 2026, an amount equal to \$15,000,000 (or a lesser amount as required pursuant to paragraph (2)).

(2) Limitation

The total amount in the Trust Fund at any time may not exceed \$30,000,000.

(3) Frequency of transfers

The Secretary shall transfer amounts required to be transferred to the Trust Fund under paragraph (1) not less frequently than quarterly from the general fund of the Treasury to the Trust Fund in a manner that ensures that the total amount in the Trust Fund at the end of the quarter does not exceed the limitation established under paragraph (2).

(c) Investment of amounts

(1) Investment of amounts

The Secretary shall invest such portion of the Trust Fund as is not required to meet current withdrawals in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

(2) Interest and proceeds

The interest on, and the proceeds from the sale or redemption of, any obligations held in

the Trust Fund shall be credited to and form a part of the Trust Fund.

(d) Availability of amounts from Trust Fund

(1) In general

The United States Trade Representative shall, on the basis of the advice of the Trade Policy Committee and relevant subordinate bodies of the TPC, use or transfer for the use by Federal agencies represented on the TPC amounts in the Trust Fund, only as provided by appropriations Acts, for making expenditures for any of the following:

(A) To seek to enforce the provisions of and commitments and obligations under the WTO Agreements and free trade agreements to which the United States is a party and resolve any actions by foreign countries that are inconsistent with those provisions, commitments, and obligations.

(B) To monitor and ensure the full implementation by foreign countries of the provisions of and commitments and obligations under free trade agreements to which the United States is a party for purposes of systematically assessing, identifying, investigating, or initiating steps to address inconsistencies with those provisions, commitments, and obligations.

(C) To thoroughly investigate and respond to petitions under section 2412 of this title requesting that action be taken under section 2411 of this title.

(D) To support capacity-building efforts undertaken by the United States pursuant to any free trade agreement to which the United States is a party and to prioritize and give special attention to the timely, consistent, and robust implementation of the commitments and obligations of a party to that free trade agreement, including commitments and obligations related to trade in goods, trade in services, trade in agriculture, foreign investment, intellectual property, digital trade in goods and services and cross-border data flows, regulatory practices, state-owned and state-controlled enterprises, localization barriers to trade, labor and the environment, currency, foreign currency manipulation, anticorruption, trade remedy laws, textiles, and commercial partnerships.

(E) To support capacity-building efforts undertaken by the United States pursuant to any such free trade agreement and to include performance indicators against which the progress and obstacles for the implementation of commitments and obligations can be identified and assessed within a meaningful time frame.

(2) Limitation

Amounts made available in the Trust Fund may not be used to offset costs of conducting negotiations for any free trade agreement to be entered into on or after February 24, 2016, but may be used to support implementation and capacity building prior to entry into force of a free trade agreement.

(e) Report

Not later than 18 months after the entry into force of any free trade agreement entered into

¹ See References in Text note below.