

(4) recognize the essential role of local governments and nongovernmental organizations in developing and implementing measures to address desertification.

(Pub. L. 106–200, title I, §131, May 18, 2000, 114 Stat. 274.)

CHAPTER 24—BIPARTISAN TRADE PROMOTION AUTHORITY

Sec.	
3801.	Short title and findings.
3802.	Trade negotiating objectives.
3803.	Trade agreements authority.
3804.	Consultations and assessment.
3805.	Implementation of trade agreements.
3806.	Treatment of certain trade agreements for which negotiations have already begun.
3807.	Congressional Oversight Group.
3808.	Additional implementation and enforcement requirements.
3809.	Committee staff.
3810.	Application of certain provisions.
3811.	Report on impact of trade promotion authority.
3812.	Interests of small business.
3813.	Definitions.

§ 3801. Short title and findings

(a) Short title

This chapter may be cited as the “Bipartisan Trade Promotion Authority Act of 2002”.

(b) Findings

The Congress makes the following findings:

(1) The expansion of international trade is vital to the national security of the United States. Trade is critical to the economic growth and strength of the United States and to its leadership in the world. Stable trading relationships promote security and prosperity. Trade agreements today serve the same purposes that security pacts played during the Cold War, binding nations together through a series of mutual rights and obligations. Leadership by the United States in international trade fosters open markets, democracy, and peace throughout the world.

(2) The national security of the United States depends on its economic security, which in turn is founded upon a vibrant and growing industrial base. Trade expansion has been the engine of economic growth. Trade agreements maximize opportunities for the critical sectors and building blocks of the economy of the United States, such as information technology, telecommunications and other leading technologies, basic industries, capital equipment, medical equipment, services, agriculture, environmental technology, and intellectual property. Trade will create new opportunities for the United States and preserve the unparalleled strength of the United States in economic, political, and military affairs. The United States, secured by expanding trade and economic opportunities, will meet the challenges of the twenty-first century.

(3) Support for continued trade expansion requires that dispute settlement procedures under international trade agreements not add to or diminish the rights and obligations provided in such agreements. Therefore—

(A) the recent pattern of decisions by dispute settlement panels of the WTO and the Appellate Body to impose obligations and restrictions on the use of antidumping, countervailing, and safeguard measures by WTO members under the Antidumping Agreement, the Agreement on Subsidies and Countervailing Measures, and the Agreement on Safeguards has raised concerns; and

(B) the Congress is concerned that dispute settlement panels of the WTO and the Appellate Body appropriately apply the standard of review contained in Article 17.6 of the Antidumping Agreement, to provide deference to a permissible interpretation by a WTO member of provisions of that Agreement, and to the evaluation by a WTO member of the facts where that evaluation is unbiased and objective and the establishment of the facts is proper.

(Pub. L. 107–210, div. B, title XXI, §2101, Aug. 6, 2002, 116 Stat. 993.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original “This title”, meaning title XXI of Pub. L. 107–210, div. B, Aug. 6, 2002, 116 Stat. 993, which enacted this chapter and amended sections 2151 to 2155, 2191, and 2212 of this title. For complete classification of title XXI to the Code, see Tables.

SHORT TITLE

Pub. L. 107–210, §1, Aug. 6, 2002, 116 Stat. 933, provided that: “This Act [see Tables for classification] may be cited as the ‘Trade Act of 2002.’”

EX. ORD. NO. 13277. DELEGATION OF CERTAIN AUTHORITIES AND ASSIGNMENT OF CERTAIN FUNCTIONS UNDER THE TRADE ACT OF 2002

Ex. Ord. No. 13277, Nov. 19, 2002, 67 F.R. 70305, as amended by Ex. Ord. No. 13346, §4, July 8, 2004, 69 F.R. 41906, provided:

By the authority vested in me as President by the Constitution and the laws of the United States, including the Trade Act of 2002 (the “Act”) (Public Law 107–210) [see Short Title note above] and section 301 of title 3, United States Code, it is hereby ordered as follows:

SECTION 1. *Trade Promotion.* (a) Except as provided in subsections (b) and (c) of this section, the authorities granted to and functions specifically assigned to the President under Division B of the Act [19 U.S.C. 3801 et seq.] are delegated and assigned, respectively, to the United States Trade Representative (U.S. Trade Representative).

(b) The exercise of the following authorities of, and functions specifically assigned to the President, under Division B of the Act are reserved to the President:

(1) Section 2102(c)(1), (c)(6), (c)(10) and (e) of the Act [19 U.S.C. 3802(c)(1), (6), (10), (e)];

(2) Section 2103(a)(1), (a)(4), (a)(6), b(1) [(b)(1)], (c)(1)(B)(i), and (c)(2) of the Act [19 U.S.C. 3803(a)(1), (4), (6), (b)(1), (c)(1)(B)(i), (2)];

(3) Section 2105(a)(1)(A) and (C) of the Act [19 U.S.C. 3805(a)(1)(A), (C)]; and

(4) Section 2108(b) of the Act [19 U.S.C. 3808(b)].

(c)(i) The Secretary of State, in consultation with the Secretary of Labor and the U.S. Trade Representative, shall carry out the functions of section 2102(c)(2) of the Act [19 U.S.C. 3802(c)(2)] with respect to establishing consultative mechanisms. The U.S. Trade Representative, in consultation with the Secretary of State and the Secretary of Labor, shall carry out the reporting function under section 2102(c)(2).

(ii) The Secretary of State, in consultation with the U.S. Trade Representative, shall carry out the func-