

plementation of any determination made under this section with respect to title VII of the Tariff Act of 1930 [19 U.S.C. 1671 et seq.].

(B) The Trade Representative shall publish in the Federal Register notice of the implementation of any determination made under this section with respect to title II of the Trade Act of 1974 [19 U.S.C. 2251 et seq.].

(d) Opportunity for comment by interested parties

Prior to issuing a determination under this section, the administering authority or the Commission, as the case may be, shall provide interested parties with an opportunity to submit written comments and, in appropriate cases, may hold a hearing, with respect to the determination.

(Pub. L. 103-465, title I, §129, Dec. 8, 1994, 108 Stat. 4836.)

REFERENCES IN TEXT

The Tariff Act of 1930, referred to in subsecs. (a)(1), (4), (6), (b)(1), (2), and (c)(1), (2)(A), is act June 17, 1930, ch. 497, 46 Stat. 590, as amended, which is classified generally to chapter 4 (§1202 et seq.) of this title. Title VII of the Act is classified generally to subtitle IV (§1671 et seq.) of chapter 4 of this title. For complete classification of this Act to the Code, see section 1654 of this title and Tables.

The Trade Act of 1974, referred to in subsecs. (a)(1), (4) and (c)(2)(B), is Pub. L. 93-618, Jan. 3, 1975, 88 Stat. 1978, as amended. Title II of the Act is classified generally to subchapter II (§2251 et seq.) of chapter 12 of this title. For complete classification of this Act to the Code, see section 2101 of this title and Tables.

CODIFICATION

Section is comprised of section 129 of Pub. L. 103-465. Subsecs. (a)(7) and (e) of section 129 of Pub. L. 103-465 amended sections 2254 and 1516a, respectively, of this title.

EFFECTIVE DATE

Section effective on the date on which the WTO Agreement enters into force with respect to the United States (Jan. 1, 1995), see section 130 of Pub. L. 103-465, set out as a note under section 3531 of this title.

§ 3539. Fund for WTO dispute settlements

(a) Establishment of fund

There is established in the Treasury a fund for the payment of settlements under this section.

(b) Authority of USTR to pay settlements

Amounts in the fund established under subsection (a) shall be available, as provided in appropriations Acts, only for the payment by the United States Trade Representative of the amount of the total or partial settlement of any dispute pursuant to proceedings under the auspices of the World Trade Organization, if—

(1) in the case of a total or partial settlement in an amount of not more than \$10,000,000, the Trade Representative certifies to the Secretary of the Treasury that the settlement is in the best interests of the United States; and

(2) in the case of a total or partial settlement in an amount of more than \$10,000,000, the Trade Representative certifies to the Congress that the settlement is in the best interests of the United States.

(c) Appropriations

There are authorized to be appropriated to the fund established under subsection (a)—

(1) \$50,000,000; and

(2) amounts equivalent to amounts recovered by the United States pursuant to the settlement of disputes pursuant to proceedings under the auspices of the World Trade Organization.

Amounts appropriated to the fund are authorized to remain available until expended.

(d) Management of fund

Sections 9601 and 9602(b) of title 26 shall apply to the fund established under subsection (a) to the same extent as such provisions apply to trust funds established under subchapter A of chapter 98 of such title.

(Pub. L. 107-210, div. E, title L, §5201, Aug. 6, 2002, 116 Stat. 1047.)

CODIFICATION

Section was enacted as part of the Trade Act of 2002, and not as part of the Uruguay Round Agreements Act which enacted this chapter.

PART D—RELATED PROVISIONS

§ 3551. Working party on worker rights

(a) In general

The President shall seek the establishment in the GATT 1947, and, upon entry into force of the WTO Agreement with respect to the United States, in the WTO, of a working party to examine the relationship of internationally recognized worker rights, as defined in section 2467(4) of this title, to the articles, objectives, and related instruments of the GATT 1947 and of the WTO, respectively.

(b) Objectives of working party

The objectives of the United States for the working party described in subsection (a) are to—

(1) explore the linkage between international trade and internationally recognized worker rights, as defined in section 2467(4) of this title, taking into account differences in the level of development among countries;

(2) examine the effects on international trade of the systematic denial of such rights;

(3) consider ways to address such effects; and

(4) develop methods to coordinate the work program of the working party with the International Labor Organization.

(c) Report to Congress

The President shall report to the Congress, not later than 1 year after December 8, 1994, on the progress made in establishing the working party under this section, and on United States objectives with respect to the working party's work program.

(Pub. L. 103-465, title I, §131, Dec. 8, 1994, 108 Stat. 4839; Pub. L. 104-188, title I, §1954(a)(6), Aug. 20, 1996, 110 Stat. 1928.)

AMENDMENTS

1996—Subsecs. (a), (b)(1). Pub. L. 104-188 substituted “2467(4)” for “2462(a)(4)”.