

§ 3913. Delegation of authorities

The President may delegate the duties and authorities under this chapter to such officers, officials, departments, or agencies of the United States Government as the President deems appropriate.

(Pub. L. 108–19, §14, Apr. 25, 2003, 117 Stat. 636.)

EFFECTIVE DATE

For effective date of this section, see section 15 of Pub. L. 108–19, set out as a note under section 3901 of this title.

CHAPTER 26—DOMINICAN REPUBLIC-CENTRAL AMERICA FREE TRADE

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TERMINATION OF CHAPTER

For termination of chapter by section 107(d) of Pub. L. 109–53, see Effective and Termination Dates note set out under section 4001 of this title.

§ 4001. Purposes

The purposes of this chapter are—

(1) to approve and implement the Free Trade Agreement between the United States, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, and Nicaragua entered into under the authority of section 3803(b) of this title;

(2) to strengthen and develop economic relations between the United States, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, and Nicaragua for their mutual benefit;

(3) to establish free trade between the United States, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, and Nicaragua through the reduction and elimination of barriers to trade in goods and services and to investment; and

(4) to lay the foundation for further cooperation to expand and enhance the benefits of the Agreement.

(Pub. L. 109–53, §2, Aug. 2, 2005, 119 Stat. 463.)

TERMINATION OF SECTION

For termination of section by section 107(d) of Pub. L. 109–53, see Effective and Termination Dates note below.

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 109–53, Aug. 2, 2005, 119 Stat. 462, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

EFFECTIVE AND TERMINATION DATES

Pub. L. 109–53, title I, §107, Aug. 2, 2005, 119 Stat. 466, provided that:

“(a) **EFFECTIVE DATES.**—Except as provided in subsection (b), the provisions of this Act [see Short Title note set out below] and the amendments made by this Act take effect on the date the Agreement [Dominican Republic–Central America–United States Free Trade Agreement] enters into force [Mar. 1, 2006].

“(b) **EXCEPTIONS.**—Sections 1 through 3 and this title [enacting this section, section 4002 of this title, and provisions set out as a note below] take effect on the date of the enactment of this Act [Aug. 2, 2005].

“(c) **TERMINATION OF CAFTA–DR STATUS.**—During any period in which a country ceases to be a CAFTA–DR country, the provisions of this Act (other than this subsection) and the amendments made by this Act shall cease to have effect with respect to that country.

“(d) **TERMINATION OF THE AGREEMENT.**—On the date on which the Agreement ceases to be in force with respect to the United States, the provisions of this Act (other than this subsection) and the amendments made by this Act shall cease to have effect.”

[For definition of “CAFTA–DR country” as used in section 107(c) of Pub. L. 109–53, set out above, see section 4002 of this title.]

SHORT TITLE

Pub. L. 109–53, §1(a), Aug. 2, 2005, 119 Stat. 462, provided that: “This Act [enacting this chapter, amending sections 58c, 1508, 1514, 1520, 1592, 2252, 2518, 2702, and

2703 of this title, and enacting provisions set out as notes under this section and section 2702 of this title] may be cited as the ‘Dominican Republic-Central America-United States Free Trade Agreement Implementation Act.’”

§ 4002. Definitions

In this chapter:

(1) Agreement

The term “Agreement” means the Dominican Republic-Central America-United States Free Trade Agreement approved by the Congress under section 4011(a)(1) of this title.

(2) CAFTA-DR country

Except as provided in section 4033 of this title, the term “CAFTA-DR country” means—

(A) Costa Rica, for such time as the Agreement is in force between the United States and Costa Rica;

(B) the Dominican Republic, for such time as the Agreement is in force between the United States and the Dominican Republic;

(C) El Salvador, for such time as the Agreement is in force between the United States and El Salvador;

(D) Guatemala, for such time as the Agreement is in force between the United States and Guatemala;

(E) Honduras, for such time as the Agreement is in force between the United States and Honduras; and

(F) Nicaragua, for such time as the Agreement is in force between the United States and Nicaragua.

(3) Commission

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

(4) HTS

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

(5) Textile or apparel good

The term “textile or apparel good” means a good listed in the Annex to the Agreement on Textiles and Clothing referred to in section 3511(d)(4) of this title, other than a good listed in Annex 3.29 of the Agreement.

(Pub. L. 109-53, §3, Aug. 2, 2005, 119 Stat. 463.)

TERMINATION OF SECTION

For termination of section by section 107(d) of Pub. L. 109-53, see Effective and Termination Dates note below.

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 109-53, Aug. 2, 2005, 119 Stat. 462, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 4001 of this title and Tables.

The Harmonized Tariff Schedule of the United States, referred to in par. (4), is not set out in the Code. See Publication of Harmonized Tariff Schedule note set out under section 1202 of this title.

EFFECTIVE AND TERMINATION DATES

Section effective Aug. 2, 2005, and to cease to have effect on date Dominican Republic-Central America-United States Free Trade Agreement ceases to be in

force with respect to the United States, and, during any period in which a country ceases to be a CAFTA-DR country, to cease to have effect with respect to such country, see section 107 of Pub. L. 109-53, set out as a note under section 4001 of this title.

SUBCHAPTER I—APPROVAL OF, AND GENERAL PROVISIONS RELATING TO, THE AGREEMENT

§ 4011. Approval and entry into force of the Agreement

(a) Approval of Agreement and statement of administrative action

Pursuant to section 3805 of this title and section 2191 of this title, the Congress approves—

(1) the Dominican Republic-Central America-United States Free Trade Agreement entered into on August 5, 2004, with the Governments of Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, and Nicaragua, and submitted to the Congress on June 23, 2005; and

(2) the statement of administrative action proposed to implement the Agreement that was submitted to the Congress on June 23, 2005.

(b) Conditions for entry into force of the Agreement

At such time as the President determines that countries listed in subsection (a)(1) have taken measures necessary to comply with the provisions of the Agreement that are to take effect on the date on which the Agreement enters into force, the President is authorized to provide for the Agreement to enter into force with respect to those countries that provide for the Agreement to enter into force for them.

(Pub. L. 109-53, title I, §101, Aug. 2, 2005, 119 Stat. 464.)

TERMINATION OF SECTION

For termination of section by section 107(d) of Pub. L. 109-53, see Effective and Termination Dates note below.

EFFECTIVE AND TERMINATION DATES

Section effective on the date the Dominican Republic-Central America-United States Free Trade Agreement enters into force (Mar. 1, 2006) and to cease to have effect on the date the Agreement ceases to be in force with respect to the United States, and, during any period in which a country ceases to be a CAFTA-DR country, to cease to have effect with respect to such country, see section 107 of Pub. L. 109-53, set out as a note under section 4001 of this title.

§ 4012. Relationship of the Agreement to United States and State law

(a) Relationship of Agreement to United States law

(1) United States law to prevail in conflict

No provision of the Agreement, nor the application of any such provision to any person or circumstance, which is inconsistent with any law of the United States shall have effect.

(2) Construction

Nothing in this chapter shall be construed—

(A) to amend or modify any law of the United States, or