

C O N T E N T S

| | |
|----------------------------|-----|
| Letter of transmittal..... | III |
| Preface..... | IV |
| Subject index | i |

PART I - OVERVIEW

| | |
|---|-----|
| Chapter 1: Tariff and customs laws..... | 1 |
| Harmonized Tariff Schedule of the United States | 1 |
| Generalized System of Preferences (GSP) | 14 |
| Title V of the Trade Act of 1974, as amended | 14 |
| Caribbean Basin Initiative (CBI)..... | 23 |
| Additional Temporary Benefits under the U.S. - Caribbean Basin Trade Partnership Act..... | 29 |
| Andean Trade Preference Act, as amended..... | 35 |
| Andean Trade Promotion and Drug Eradication Act | 38 |
| African Growth and Opportunity Act..... | 44 |
| Customs valuation..... | 58 |
| The GATT/WTO Customs Valuation Agreement..... | 60 |
| Current law | 62 |
| Limitations on the applicability of transaction value..... | 63 |
| Customs user fees..... | 69 |
| Other customs laws | 75 |
| Country-of-origin marking | 75 |
| NAFTA rules of origin..... | 78 |
| Drawback..... | 80 |
| Protests and administrative review | 82 |
| Copyrights and trademark enforcement..... | 84 |
| Penalties..... | 86 |
| Commercial operations | 89 |
| Foreign trade zones..... | 92 |
| Chapter 2: Trade remedy laws..... | 96 |
| The antidumping and countervailing duty laws | 96 |
| CVD law: subsidy determination | 96 |
| AD law: less-than-fair-value (LTFV) determination | 102 |
| AD and CVD laws: material injury determination..... | 107 |
| Issues common to AD and CVD investigations | 108 |
| Enforcement of U.S. rights under trade agreements and response to certain foreign practices: sections 301-310 of the Trade Act of 1974, as amended..... | 120 |
| International consultations and dispute settlement | 120 |
| Enforcement authority and procedures (section 301)..... | 122 |
| Identification of intellectual property rights priority countries (Special 301)..... | 128 |
| Identification of trade liberalization priorities (Super 301)..... | 129 |
| Foreign direct investment..... | 130 |
| Foreign anticompetitive practices | 130 |
| Unfair practices in import trade (Section 337 of the Tariff Act of 1930, as amended)..... | 130 |

| | |
|--|-----|
| Import relief (safeguard) authorities..... | 134 |
| Sections 201-204 of the Trade Act of 1974, as amended | 134 |
| Section 406 of the Trade Act of 1974: market disruption by imports from Communist countries | 140 |
| Sections 421-423 of the Trade Act of 1974, as amended: market disruption by imports from the People's Republic of China..... | 141 |
| Section 1102 of the Trade Agreements Act of 1979: public auction of import licenses | 143 |
| Trade adjustment assistance..... | 144 |
| Chapters 2, 3, and 5 of title II of the Trade Act of 1974, as amended | 144 |
| TAA program for workers | 145 |
| NAFTA Worker Security Act, repealed | 152 |
| Demonstration project for alternative trade adjustment assistance for older workers..... | 152 |
| TAA program for firms | 152 |
| Trade adjustment assistance for farmers | 154 |
| Chapter 3: Other laws regulating imports | 156 |
| Authorities to restrict imports of agricultural and textile products | 156 |
| Section 204 of the Agricultural Act of 1956, as amended | 156 |
| Multifiber Arrangement (MFA) | 156 |
| Uruguay Round Agreement on Textiles and Clothing..... | 159 |
| Bilateral textile agreements | 161 |
| Textiles and apparel trade under Free Trade Agreements..... | 162 |
| Section 22 of the Agricultural Adjustment Act of 1933 | 164 |
| Agriculture trade under the Uruguay Round Agreements Act | 165 |
| Agriculture trade under the North American Free Trade Agreement Implementation Act | 167 |
| Agriculture trade under other Free Trade Agreements | 168 |
| Meat Import Act of 1979 | 172 |
| Reciprocal meat inspection requirement | 172 |
| Sugar tariff-rate quotas under Harmonized Tariff Schedule authorities..... | 173 |
| Import prohibitions on certain agricultural commodities under marketing orders (Section 8e of the Agricultural Adjustments Act, as amended) | 175 |
| Authorities to restrict imports under certain laws | 176 |
| Marine Mammal Protection Act of 1972, as amended | 176 |
| International Dolphin Conservation Program Act..... | 177 |
| Endangered Species Act of 1973, as amended | 178 |
| Tariff Act of 1930, as amended: wild mammals or birds | 178 |
| African Elephant Conservation Act..... | 179 |
| Rhinoceros and Tiger Conservation Act of 1994, as amended | 179 |
| Section 8 of the Fishermen's Protective Act of 1967, as amended ("Pelly Amendment") | 179 |
| High Seas Driftnet Fisheries Enforcement Act..... | 179 |
| Wild Bird Conservation Act of 1992..... | 180 |
| Atlantic Tunas Convention Act of 1995 | 181 |
| Section 609 of Public Law 101-162: Conservation of Sea Turtles | 181 |
| National security import restrictions..... | 184 |
| Section 232 of the Trade Expansion Act of 1962 | 184 |
| Section 233 of the Trade Expansion Act of 1962 | 185 |
| Balance of payments authority (section 122 of the Trade Act of 1974)..... | 186 |
| Product standards..... | 188 |
| Agreement on Technical Barriers to Trade..... | 189 |
| Uruguay Round Agreement on Technical Barriers to Trade..... | 191 |
| The North American Free Trade Agreement | 192 |
| Title IV of the Trade Agreements Act of 1979, as amended..... | 192 |
| Government procurement..... | 193 |
| Buy American Act..... | 194 |
| 1979 GATT Agreement on Government Procurement | 195 |

- VIII -

| | |
|---|-----|
| 1994 WTO Agreement on Government Procurement | 197 |
| Government Procurement under Free Trade Agreements..... | 198 |
| Title III of the Trade Agreements Act of 1979, as amended | 200 |
| Title VII of the Omnibus Trade and Competitiveness Act of 1988, as amended..... | 202 |
| Chapter 4: Laws regulating export activities | 205 |
| Export controls..... | 205 |
| Export Administration Act of 1979..... | 207 |
| Export Administration Amendments Act of 1985 | 208 |
| Omnibus Trade and Competitiveness Act of 1988..... | 209 |
| Expiration of the Export Administration Act of 1979..... | 210 |
| The National Defense Authorization Act for FY 1998 | 212 |
| Export promotion of goods and services..... | 212 |
| Export Enhancement Act of 1988 | 212 |
| Fair Trade in Auto Parts Act of 1988 | 213 |
| Agricultural export sales and promotion..... | 214 |
| Public Law 480..... | 214 |
| Export credit guarantee and export promotion programs..... | 215 |
| Chapter 5: Authorities relating to political or economic security..... | 217 |
| A. Economic authorities in national emergencies..... | 217 |
| International Emergency Economic Powers Act..... | 217 |
| Trading With the Enemy Act | 228 |
| B. Embargo on transactions with Cuba | 231 |
| The Cuban Liberty and Democratic Solidarity Act..... | 233 |
| C. Economic sanctions against Libya, Iran, and Iraq | |
| (INCLUDING Broader Provisions Against International Terrorism)..... | 234 |
| The International Security and Development Cooperation Act of 1985 | 234 |
| Iraq Sanctions Act of 1990..... | 235 |
| Iran-Iraq Arms Non-Proliferation Act of 1992..... | 236 |
| The Iran and Libya Sanctions Act of 1996 | 237 |
| Emergency Protection for Iraqi Cultural Antiquities Act of 2004 | 238 |
| D. Sanctions against countries related to counternarcotics efforts..... | 239 |
| Narcotics Control Trade Act | 239 |
| E. Sanctions related to missile proliferation and the use of chemical or biological weapons | 242 |
| Section 73 of the Arms Export Control Act..... | 242 |
| Chemical and Biological Weapons and Warfare Elimination Act of 1991 | 243 |
| Section 81 of the Arms Export Control Act..... | 244 |
| F. Sanctions Exemptions for Food and Medicine | 245 |
| Trade Sanctions Reform and Export Enhancement Act of 2000 | 245 |
| G. Sanctions against Sudan | 246 |
| The Sudan Peace Act | 246 |
| The Comprehensive Peace in Sudan Act of 2004 | 246 |
| H. Sanctions to address the illicit diamond trade | 247 |
| Clean Diamond Trade Act of 2003..... | 247 |
| I. Sanctions against Burma..... | 248 |
| Burmeese Freedom and Democracy Act of 2003 | 248 |
| J. Sanctions against Syria | 248 |
| Syrian Accountability and Lebanese Sovereignty Restoration Act of 2003 | 248 |
| K. Sanctions against Belarus | 249 |
| The Belarus Democracy Act of 2004 | 249 |
| L. The Hong Kong Policy Act and Taiwan's Accession to the WTO..... | 249 |
| M. Section 27 of the Merchant Marine Act, 1920 (Jones Act)..... | 250 |
| N. Section 721 of the Defense Production Act of 1950, as amended ("Exon/Florio")..... | 251 |
| Chapter 6: Reciprocal trade agreements | 252 |
| Reciprocal trade agreement objectives and authorities..... | 252 |
| Trade negotiating objectives | 253 |

| | |
|---|-----|
| General tariff authority | 254 |
| Trade agreement authority | 255 |
| Other trade agreement authorities | 256 |
| Trade Promotion Authority implementing procedures | 258 |
| Trade Promotion Authority Procedures | 258 |
| Trade Promotion Authority consultations and assessment | 261 |
| Uruguay Round Agreements | 263 |
| Uruguay Round Agreements Act | 265 |
| U.S. WTO Dispute Settlement Fund | 269 |
| Specific foreign trade barriers | 270 |
| Sections 181 and 182 of the Trade Act of 1974, as amended | 270 |
| Telecommunications Trade Act of 1988 | 270 |
| Most-Favored-Nation (Nondiscriminatory) or Normal Trade Relations treatment | 272 |
| North American trade relations | 287 |
| North American Free Trade Agreement | 288 |
| North American Free Trade Agreement Implementation Act of 1993 | 288 |
| United States-Israel trade relations | 290 |
| Title IV of the Trade and Tariff Act of 1984 | 290 |
| United States-Israel Free Trade Area Agreement | 291 |
| United States-Israel Free Trade Area Implementation Act of 1985 | 293 |
| West Bank and Gaza Strip Free Trade Benefits | 293 |
| United States-Canada trade relations | 294 |
| United States-Canada Free-Trade Agreement | 294 |
| United States-Canada Free-Trade Agreement Implementation Act of 1988 | 295 |
| United States-Jordan trade relations | 297 |
| United States-Jordan Free Trade Agreement | 297 |
| United States-Jordan Free Trade Area Implementation Act | 299 |
| United States-Chile trade relations | 300 |
| United States-Chile Free Trade Agreement | 300 |
| United States-Chile Free Trade Agreement Implementation Act | 303 |
| United States-Singapore trade relations | 305 |
| United States-Singapore Free Trade Agreement | 305 |
| United States-Singapore Free Trade Agreement Implementation Act | 307 |
| United States-Australia trade relations | 310 |
| United States-Australia Free Trade Agreement | 310 |
| United States-Australia Free Trade Agreement Implementation Act | 313 |
| United States-Morocco trade relations | 316 |
| United States-Morocco Free Trade Agreement | 316 |
| United States-Morocco Free Trade Agreement Implementation Act | 319 |
| Chapter 7: Organization of trade policy functions | 322 |
| Congress | 322 |
| Executive branch | 324 |
| Interagency trade process | 324 |
| Office of the U.S. Trade Representative | 325 |
| U.S. Department of Commerce | 328 |
| U.S. Customs and Border Protection | 329 |
| U.S. International Trade Commission | 331 |
| Private or public sector advisory committees | 332 |

PART II - COMPILATION OF U.S. TRADE STATUTES

| | |
|--|-----|
| Chapter 8: Tariff and customs laws | 334 |
| A. Implementation of the Harmonized Tariff Schedule of the United States | 334 |

| | |
|---|-----|
| Sections 1201-1217 of the Omnibus Trade and Competitiveness Act of 1988 | 334 |
| Section 484(e) of the Tariff Act of 1930, as amended..... | 343 |
| B. Excerpts from the Harmonized Tariff Schedule of the United States (HTS) relating to | |
| special duty treatment | 344 |
| 1. American goods returned (HTS item 9801.00.10) | 344 |
| 2. American goods repaired or altered abroad (HTS items 9802.00.40, .50) | 346 |
| American metal articles processed abroad (HTS item 9802.00.60)..... | 346 |
| American components assembled abroad (HTS item 9802.00.80)..... | 346 |
| 3. Personal (Tourist) exemptions (HTS Items 9804.00.65, .70, .72)..... | 352 |
| 4. Noncommercial importations of limited value | 355 |
| 5. Classification of personal effect of participants in international athletic events | 357 |
| 6. Products of U.S. insular possessions (General Note 3(a)(iv))..... | 359 |
| 7. Rates of duty on certain motor vehicles (General Note 3(d) | 361 |
| C. Generalized System of Preferences..... | 362 |
| Title V of the Trade Act of 1974, as amended | 362 |
| General Note 4 of the Harmonized Tariff Schedule | 375 |
| D. Caribbean Basin Initiative (CBI) | 381 |
| Caribbean Basin Economic Recovery Act, as amended (including certain provisions from the | |
| U.S. provisions from the U.S. - Caribbean Trade Partnership Act) | 381 |
| Caribbean Basin Economic Recovery Expansion Act of 1990 (CBI II)..... | 410 |
| Section 423 of the Tax Reform Act of 1986, as amended (treatment of imports of ethyl | |
| alcohol)..... | 411 |
| General Note 7(a) of the Harmonized Tariff Schedule | 415 |
| General Note 17(a) of the Harmonized Tariff Schedule | 416 |
| E. Andean Initiative (Andean Trade Preference Act, as amended) | 417 |
| F. African Growth and Opportunity Act..... | 435 |
| Trade Act of 1974 Generalized System of Preferences..... | 435 |
| African Growth and Opportunity Act, as amended..... | 437 |
| AGOA Acceleration Act | 453 |
| G. Customs valuation (Section 402 of the Tariff Act of 1930, as amended) | 459 |
| H. Customs user fees | 468 |
| Section 13031 of the Consolidated Budget Reconciliation Act of 1985, as amended..... | 468 |
| Sections 111(f), 112, and 113 of the Customs and Trade Act of 1990, as amended | 485 |
| Section 1893(f) of the Tax Reform Act of 1986, as amended | 486 |
| Section 892(c) of the American Jobs Creation Act of 2004..... | 487 |
| I. Other customs laws..... | 487 |
| 1. Country of origin marking | 487 |
| Section 304 of the Tariff Act of 1930, as amended..... | 487 |
| Rule of origin for textile and apparel products | 492 |
| 2. Drawback (section 313 of the Tariff Act of 1930, as amended) | 495 |
| 3. Entry of merchandise (section 484 of the Tariff Act of 1930, as amended)..... | 507 |
| 4. Protests and Further Administrative Reviews | |
| (section 514-516 of the Tariff Act of 1930, as amended)..... | 511 |
| 5. Copyrights and trademark enforcement..... | 517 |
| Section 101 of the Copyright Revision Act of 1976..... | 517 |
| Section 526 of the Tariff Act of 1930, as amended..... | 518 |
| Section 431 of the Tariff Act of 1930, as amended..... | 520 |
| 6. Penalties, prohibitions and export restrictions (sections 592 and 592A of the Tariff Act | |
| of 1930, as amended)..... | 522 |
| 7. Convict and forced labor made goods | 529 |
| 8. Prohibition on importation of dog and cat fur products | 530 |
| 9. Cigarette Imports | 533 |
| 10. National Customs Automation Program (sections 411-414 of the Tariff Act of 1930, | |
| as amended)..... | 536 |

| | |
|--|-----|
| 11. Commercial operations | 540 |
| Section 9503(c) of the Omnibus Budget Reconciliation Act of 1987 | 540 |
| Section 301 of the Customs Procedural Reform and Simplification Act of 1978, as amended | 541 |
| J. Foreign Trade Zones (Act of June 18, 1934, as amended) | 544 |
| K. Implementation of the GATT Agreement on Trade in Civil Aircraft and the Harmonized Tariff Schedule of the United States General Note 6 on Aircraft | 553 |
| Chapter 9: Trade remedy laws | 555 |
| A. Authorities to respond to foreign subsidy and dumping practices | 555 |
| 1. Countervailing duties | 555 |
| Section 753 of the Tariff Act of 1930, as amended | 555 |
| Section 261 (a)-(c) of the Uruguay Round Agreements Act | 559 |
| Subtitle A of Title VII (sections 701-709) of the Tariff Act of 1930, as amended | 560 |
| 2. Antidumping duties (subtitle B of title VII (sections 731-739) of the Tariff Act of 1930, as amended) | 584 |
| 3. Administrative review of antidumping and countervailing duties (subtitle C of title VII (sections 751, 752, 761, and 762) of the Tariff Act of 1930, as amended) | 611 |
| 4. General provisions relating to antidumping and countervailing duties (subtitle D of the VII (sections 771-782) of the Tariff Act of 1930, as amended) | 625 |
| 5. Continued dumping and subsidies offset (Section 754 of the Tariff Act of 1930, as amended) | 684 |
| 6. Judicial and panel review of antidumping and countervailing duty actions | 687 |
| Section 516A of the Tariff Act of 1930, as amended | 687 |
| Section 129 of the Uruguay Round Agreements Act | 700 |
| 7. Third-country dumping (section 1317 of the Omnibus Trade and Competitiveness Act of 1988) | 703 |
| 8. Antidumping petitions by third countries (section 783 of the Tariff Act of 1930, as amended) | 704 |
| 9. Antidumping Act of 1916 | 705 |
| B. Enforcement of United States rights under trade agreements and response to certain foreign trade practices | 708 |
| Sections 301-310 of the Trade Act of 1974, as amended | 708 |
| Sections 281 and 282 of the Uruguay Round Agreements Act, as amended | 725 |
| Section 307(b) of the Trade and Tariff Act of 1984 | 734 |
| Foreign air transportation: section 2 of the International Air Transportation Fair Competitiveness Act of 1974, as amended, and the Federal Aviation Act of 1958, as amended | 735 |
| Section 19 of the Merchant Marine Act of 1920, as amended | 737 |
| Section 10002 of the Foreign Shipping Practices Act of 1988 | 740 |
| C. Unfair practices in import trade (section 337 of the Tariff Act of 1930, as amended) | 743 |
| D. Safeguard actions (sections 201-204 of the Trade Act of 1974, as amended) | 752 |
| E. Relief from market disruption by imports from Communist countries (section 406 of the Trade Act of 1974, as amended) | 771 |
| F. Relief from market disruption by imports from the People's Republic of China (Section 421-423 of the Trade Agreements Act of 1974, as amended) | 773 |
| G. Authority to auction import licenses (section 1102 of the Trade Agreement Act of 1979) | 783 |
| H. Trade adjustment assistance (chapters 2, 3, 4, 5, and 6 title II of the Trade Act of 1974, as amended) | 784 |
| I. Sections 401 and 408 of the Trade and Development Act of 2000 | 826 |
| Chapter 10: Other laws regulating imports | 828 |
| A. Authorities to restrict imports of agricultural and textile products | 828 |
| Section 204 of the Agricultural Act of 1956, as amended | 828 |
| Section 22 of the Agricultural Adjustment Act of 1933, as amended | 828 |
| Tariff-rate quotas and safeguards (sections 404 and 405 of the Uruguay Round | |

| | |
|---|-----|
| Agreements Act) | 830 |
| Reciprocal meat inspection requirement (section 20(h) of the Federal Meat Inspection Act) | 833 |
| Sugar tariff-rate quotas under headnote authority..... | 834 |
| Sugar quota reallocation..... | 837 |
| Import prohibitions on certain agricultural commodities under marketing orders (section 8e of the Agricultural Adjustment Act, as amended) | 838 |
| Import prohibitions for animal health protection: Animal Health Protection Act | 841 |
| B. Authorities to restrict imports under certain environmental laws..... | 844 |
| Marine Mammal Protection Act of 1972, as amended (excerpts) | 844 |
| Section 9 of the Endangered Species Act of 1973, as amended..... | 862 |
| Section 527 of the Tariff Act of 1930, as amended | 865 |
| African Elephant Conservation Act..... | 866 |
| Section & of the Rhinoceros and Tiger Conservation Act of 1994, as amended | 869 |
| Section 8 of the Fishermen's Protective Act of 1967, as amended..... | 870 |
| High Seas Driftnet Fisheries Enforcement Act (excerpts) | 873 |
| Sections 105 and 108 of the Wild Bird Conservation Act of 1992 | 878 |
| Atlantic Tunas Convention Act of 1975, as amended (excerpts) | 880 |
| Conservation of Sea Turtles..... | 882 |
| C. National security import restrictions (sections 232 and 233 of the Trade Expansion Act of 1962, as amended) | 884 |
| D. Balance of payments authority (section 122 of the Trade Act of 1974)..... | 887 |
| E. Implementation of the GATT Agreement of Technical Barriers to Trade (product standards) (title IV of the Trade Agreements Act of 1979)..... | 890 |
| F. Government procurement..... | 901 |
| 1. Buy American requirements | 901 |
| Buy American Act (title III of the Act of March 3, 1933, as amended) | 901 |
| Section 833 of the Defense Production Act of 1950, as amended | 902 |
| Act of October 29, 1949..... | 903 |
| 2. Implementation of the GATT Agreement on Government Procurement (Title III of the Trade Agreements Act 1979, as amended) | 903 |
| Chapter 11: Laws regulating export activities | 912 |
| A. Export controls | 912 |
| Export Administration Act of 1979, as amended | 912 |
| B. Export financing and promotion | 923 |
| 1. Agriculture export sales and promotion..... | 923 |
| Agricultural Trade Act of 1978, as amended (excerpts)..... | 923 |
| Section 1123 of the Food Security Act of 1985 | 928 |
| 2. Export promotion of goods and services | 929 |
| Sections 2303, 2306, and 2312 of the Export Enhancement Act of 1988, as amended..... | 929 |
| Chapter 12: Authorities relating to political or economic security | 934 |
| A. Economic authorities in national emergencies | 934 |
| National Emergencies Act | 934 |
| International Emergency Economic Powers Act, as amended | 937 |
| Section 5(b) of the Trading With the Enemy Act, as amended..... | 942 |
| B. Embargo on trade with Cuba | 944 |
| Section 620(a) of the Foreign Assistance Act of 1961, as amended | 944 |
| Cuban Democracy Act of 1992 (title XVII of the National Defense Authorization Act for Fiscal Year 1993) | 944 |
| Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (excerpts)..... | 952 |
| C. Economic sanctions against Libya, Iran, and Iraq | 960 |
| Sections 504 and 505 of the International Security and Development Cooperation Act of 1985..... | 960 |
| Iraq Sanctions Act of 1990 (sections 586-586J of the Foreign Assistance and Related Programs Appropriation Act, 1991) (excerpts) | 961 |

- XIII -

| | |
|--|------|
| Iran-Iraq Arms Non-Proliferation Act of 1992 (title XVI of the National Defense Authorization Act for Fiscal Year 1993)..... | 967 |
| Iran and Libya Sanctions Act of 1996 | 970 |
| Emergency Protection for Iraqi Cultural Antiquities Act of 2004 | 982 |
| D. Trade sanctions against uncooperative major drug producing or drug-transit countries..... | 983 |
| Narcotics Control Trade Act..... | 983 |
| Section 591 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act of 2002..... | 989 |
| Section 706 of the Foreign Relations Authorization Act of 2003..... | 991 |
| E. Sanctions related to missile proliferation and chemical and biological warfare..... | 993 |
| Section 73 of the Arms Export Control Act | 993 |
| Chemical and Biological Weapons Control and Warfare Elimination Act of 1991 | 996 |
| Section 81 of the Arms Export Control Act | 1004 |
| F. Trade Sanctions Reform and Export Enhancement Act of 2000 | 1007 |
| G. Economic sanctions against Sudan | 1014 |
| Tariff Suspension and Trade Act of 2000 | 1014 |
| Sudan Peace Act..... | 1015 |
| Comprehensive Peace in Sudan Act of 2004..... | 1023 |
| H. Clean Diamonds Trade Act | 1028 |
| I. Trade sanctions against Burma | 1035 |
| Burmese Freedom and Democracy Act of 2003..... | 1035 |
| Renewal of Import Restrictions—Burmese Freedom and Democracy Act | 1041 |
| J. Syria Accountability and Lebanese Sovereignty Restoration Act of 2003..... | 1041 |
| K. Belarus Democracy Act of 2004..... | 1049 |
| L. United States-Hong Kong Policy Act of 1992 | 1054 |
| M. Restrictions on transport of merchandise by foreign vessels (section 27 of the Merchant Marine Act, 1920, as amended) | 1061 |
| N. Authority to review certain mergers, acquisitions, and takeovers (section 721 of the Defense Production Act of 1950, as amended) | 1065 |
| Chapter 13: Reciprocal trade agreements..... | 1069 |
| A. U.S. negotiating objectives | 1069 |
| Sections 2101 and 2102 of the Trade Act of 2002 | 1069 |
| Section 1124 and 3004 of the Omnibus Trade and Competitiveness Act of 1988 | 1081 |
| Sections 131, 132, 135, and 315 of the Uruguay Round Agreements Act, as amended | 1082 |
| Section 409 of the Trade and Development Act of 2000 | 1085 |
| Section 108 of the North American Free Trade Agreement Implementation Act..... | 1087 |
| B. General trade agreement and implementation authorities | 1089 |
| 1. Trade Promotion Authority | 1089 |
| 2. Congressional Trade Promotion Authority and other procedures with respect to Presidential Actions | 1107 |
| 3. Trade agreement implementation authority and amendment procedures | 1116 |
| 4. Uruguay Round/WTO implementation, tariff modifications, and dispute settlement (sections 101(a), 102, 111(a, c, and e), and 121-130 of the Uruguay Round Agreements Act)..... | 1120 |
| Section 5201 of the Trade Act of 2002 | 1137 |
| C. Specific trade agreement authorities | 1138 |
| 1. Compensation authority (section 123 of the Trade Act of 1974, as amended) | 1138 |
| 2. Termination and withdrawal authority | 1139 |
| Section 125 of the Trade Act of 1974..... | 1139 |
| Section 2110(b) of the Trade Act of 2002 | 1141 |
| 3. Accession of State trading regimes to the GATT or the WTO (section 1106 of the Omnibus Trade and Competitiveness Act of 1988, as amended) | 1141 |
| 4. GATT and WTO authorizations..... | 1143 |
| Section 5201 of the Trade Act of 2002..... | 1143 |
| Section 121 of the Trade Act of 1974, as amended..... | 1143 |

| | |
|--|------|
| Section 101(c) of the Uruguay Round Agreements Act | 1144 |
| D. Trade negotiation procedural requirements | 1144 |
| Sections 131-134 of the Trade Act of 1974, as amended | 1144 |
| Sections 127(a) and (b) of the Trade Act of 1974 | 1147 |
| E. Identification of, and action on, specific foreign trade barriers | 1147 |
| 1. National trade estimates report (section 181 of the Trade Act of 1974, as amended) | 1147 |
| 2. Intellectual property rights (section 182 of the Trade Act of 1974, as amended) | 1150 |
| 3. Telecommunications trade (Telecommunications Trade Act of 1988) | 1153 |
| F. Normal Trade Relations (nondiscriminatory) treatment | 1163 |
| 1. NTR principle | 1163 |
| Section 5003 of P.L. 105-206: Clarification of Designation of Normal Trade Relations | 1163 |
| Section 251 of the Trade Expansion Act of 1962 | 1164 |
| Section 126(a) of the Trade Act of 1974 | 1165 |
| Section 1103(a)(3) of the Omnibus Trade and Competitiveness Act of 1988 | 1165 |
| 2. Trade relations with nonmarket economy countries | 1165 |
| General note 3(b) of the Harmonized Tariff Schedule | 1165 |
| Title IV of the Trade Act of 1974, as amended | 1166 |
| NTR treatment for Hungary and Czech and Slovak Republics | 1173 |
| NTR treatment for Estonia, Latvia, and Lithuania | 1174 |
| NTR withdrawal from Serbia and Montenegro | 1176 |
| NTR treatment for Bulgaria | 1176 |
| NTR treatment for Romania | 1177 |
| NTR treatment for Armenia | 1178 |
| NTR treatment for Cambodia | 1179 |
| NTR treatment for Laos | 1180 |
| NTR treatment for Mongolia | 1181 |
| NTR treatment for Albania and Kyrgyzstan | 1182 |
| NTR treatment for the People's Republic of China | 1183 |
| NTR treatment for Georgia | 1200 |
| G. Trade relations with North America (North American Free Trade Agreement Implementation Act, as amended) | 1201 |
| H. Bilateral trade relations with Israel | 1275 |
| Section 102(b)(1) of the Trade Act of 1974, as amended | 1275 |
| Title IV of the Trade and Tariff Act of 1984, as amended | 1276 |
| United States-Israel Free Trade Area Implementation Act of 1985, as amended | 1280 |
| Report on Free Trade Agreement with Israel | 1286 |
| I. Bilateral trade relations with Canada | 1287 |
| United States-Canada Free-Trade Agreement Implementation act of 1988, as amended | 1287 |
| Automotive Products Trade Act of 1965, as amended | 1315 |
| J. Bilateral Trade Relations with Jordan | 1319 |
| K. Bilateral Trade Relations with Chile | 1328 |
| L. Bilateral Trade Relations with Singapore | 1353 |
| M. Bilateral Trade Relations with Australia | 1367 |
| N. Bilateral Trade Relations with Morocco | 1409 |
| Chapter 14: Organization of trade policy functions | 1431 |
| A. Congress | 1431 |
| 1. Congressional advisers (section 161 of the Trade Act of 1974, as amended) | 1431 |
| 2. Congressional Oversight Group (section 2107 of the Trade Act of 2002) | 1433 |
| 3. Reports and consultation to Congress | 1435 |
| Sections 162 and 163 of the Trade Act of 1974, as amended | 1435 |
| Section 2202 of the Omnibus trade and Competitiveness Act of 1988 | 1438 |
| B. Executive Branch | 1439 |
| 1. Interagency trade organization | 1439 |

| | |
|--|------|
| Section 242 of the Trade Expansion Act of 1962, as amended | 1439 |
| Reorganization Plan No. 3 of 1979..... | 1440 |
| Section 306 of the Trade and Tariff Act of 1984 | 1445 |
| 2. Office of the United States Trade Representative | |
| Section 141 of the Trade Act of 1974, as amended..... | 1446 |
| Section 117 of the Trade and Development Act of 2000..... | 1451 |
| 3. U.S. Customs and Border Protection | 1452 |
| C. United States International Trade Commission | 1456 |
| 1. Organization, general powers, procedures..... | 1456 |
| Sections 330, 331, 333-335 and 339 of the Tariff Act of 1930, as amended | 1456 |
| Section 603 of the Trade Act of 1974..... | 1464 |
| Section 175(a)(1) of the Trade Act of 1974 | 1464 |
| 2. Investigations (section 332 of the Tariff Act of 1930, as amended)..... | 1464 |
| D. Private or Public sector advisory committees (section 135 of the Trade Act of 1974, as amended)..... | 1466 |

APPENDIX

| | |
|---|------|
| Descriptions of major regional and multilateral trade organizations | 1473 |
| World Trade Organization (WTO) | 1473 |
| Organization for Economic Cooperation and Development (OECD)..... | 1475 |
| United Nations Conference on Trade and Development (UNCTAD) | 1476 |
| World Customs Organization | 1476 |
| European Union (EU) | 1477 |
| Asia-Pacific Economic Cooperation (APEC) | 1478 |
| MERCOSUR | 1478 |
| Association of Southeast Asian nations (ASEAN)..... | 1479 |
| Cairns Group | 1479 |