

1947, which is legally distinct from the GATT 1994 in the WTO. The bill allows the tariff benefits of the WTO to be extended to countries not yet in the WTO. However, the President has the authority to withhold tariff benefits from a non-WTO member if that country is not "according adequate trade benefits to the U.S.". The WTO duty levels would apply when that country joins the WTO.

UR Implementation and Dispute Settlement

WTO

The creation of the WTO brings all UR Agreements under a single organization and allows for strengthened dispute settlement. The bill sets out the U.S. view that the WTO should continue the GATT practice of decision-making by consensus and has a requirement that the Administration consult with Congress before significant votes are taken (e.g. on amendments to the Agreement, granting of waivers and the accession of new Members). The bill provides for an annual report, and allows Congress to review U.S. participation after 5 years at which time the U.S. could decide, by a joint resolution, to cease to be a member of the WTO.

DISPUTE SETTLEMENT

The WTO dispute settlement system strengthens the mechanism for enforcing the new trade rules. It provides for a tighter timetable for disputes, and will not allow any one country to block adoption of panel reports. This is especially important in trade remedy cases, where it was common practice to block panel reports. Other changes include an integrated dispute settlement system and the possibility for the authorization of cross-retaliation (e.g. withdrawal of concessions in the goods area if a services obligation has been breached). The U.S. legislation establishes procedures for the implementation of binding WTO panel or appellate body findings. Under current law, there is no such procedure. By virtue of this bill, Congress is given increased oversight of the implementation of panel reports, including an annual report to Congress by the USTR.

TRANSPARENCY AND ADVISORY COMMITTEE PARTICIPATION

The U.S. bill and SAA include direction to the Administration to seek agreement among WTO members to allow increased transparency in the WTO, including access to meetings of the Ministerial Conference and General Council, and to the dispute settlement process. The legislation has provisions to include representatives of non-governmental environment and conservation organizations on the Advisory Committee for Trade Policy and Negotiations (ACTPN) to advise on environmental aspects of trade agreements generally. The Administration has