

UNITED STATES – SECTION 211 OMNIBUS APPROPRIATIONS ACT OF 1998

Status Report by the United States

Addendum

The following communication, dated 7 October 2004, from the delegation of the United States to the Chairperson of the Dispute Settlement Body, is circulated pursuant to Article 21.6 of the DSU.

Status Report Regarding Implementation of the
DSB Recommendations and Rulings in the Dispute
United States – Section 211 Omnibus Appropriations Act of 1998
(WT/DS176)

The United States submits this report in accordance with Article 21.6 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes*.

On 2 February 2002, the Dispute Settlement Body ("DSB") adopted its recommendations and rulings in *United States - Section 211 Omnibus Appropriations Act of 1998* (WT/DS176). At the following DSB meeting on 18 February 2002, the United States informed the DSB of its intention to implement the recommendations and rulings of the DSB in connection with this matter. At that time, the United States also advised the DSB that a "reasonable period of time" would be required to complete this process. On 28 March 2002, the United States and the European Communities informed the DSB that they had reached a mutual agreement on the reasonable period of time for the United States to implement the recommendations and rulings of the DSB, a period of time that was subsequently extended to 31 December 2003. On 19 December 2003, the United States and the European Communities informed the DSB that they agreed to extend this period until 31 December 2004.

Legislation amending section 211 to clarify that it applies to all nationals was introduced in the US House of Representatives on 28 April 2004 (H.R. 4225) and in the US Senate on 29 April 2004 (S. 2373). Other bills that would, among other things, repeal section 211 were introduced in the House on 17 June 2003 (H.R. 2494), and in the Senate on 9 December 2003 (S. 2002).

The United States Administration continues to work with the US Congress with respect to appropriate statutory measures that would resolve this matter.
