

(B) describe the nature and extent of any significant change in employment, profit levels, and use of productive facilities, and such other conditions as it deems relevant in the domestic industries concerned, which it believes are attributable to this chapter.

**(c) Submission dates; public comment**

(1) Each report required under subsection (a) of this section shall be submitted to the Congress before the close of the 9-month period beginning on the day after the last day of the period covered by the report.

(2) The Commission shall provide an opportunity for the submission by the public, either orally or in writing, or both, of information relating to matters that will be addressed in the reports.

(Pub. L. 102-182, title II, §206, Dec. 4, 1991, 105 Stat. 1243; Pub. L. 106-200, title II, §211(d)(2), May 18, 2000, 114 Stat. 287.)

AMENDMENTS

2000—Subsec. (a). Pub. L. 106-200 amended heading and text of subsec. (a) generally. Prior to amendment, text read as follows: “The United States International Trade Commission (hereinafter in this section referred to as the ‘Commission’) shall prepare, and submit to the Congress, a report regarding the economic impact of this chapter on United States industries and consumers, and, in conjunction with other agencies, the effectiveness of this chapter in promoting drug-related crop eradication and crop substitution efforts of the beneficiary countries, during—

“(1) the 24-month period beginning with December 4, 1991; and

“(2) each calendar year occurring thereafter until duty-free treatment under this chapter is terminated under section 3206(b) of this title.

For purposes of this section, industries in the Commonwealth of Puerto Rico and the insular possessions of the United States shall be considered to be United States industries.”

**§ 3205. Impact study by Secretary of Labor**

The Secretary of Labor, in consultation with other appropriate Federal agencies, shall undertake a continuing review and analysis of the impact that the implementation of the provisions of this chapter has with respect to United States labor; and shall make an annual written report to Congress on the results of such review and analysis.

(Pub. L. 102-182, title II, §207, Dec. 4, 1991, 105 Stat. 1244.)

**§ 3206. Termination of preferential treatment**

No duty-free treatment or other preferential treatment extended to beneficiary countries under this chapter shall remain in effect after December 31, 2006.

(Pub. L. 102-182, title II, §208, Dec. 4, 1991, 105 Stat. 1244; Pub. L. 107-210, div. C, title XXXI, §3104(a), Aug. 6, 2002, 116 Stat. 1034.)

AMENDMENTS

2002—Pub. L. 107-210 substituted “Termination of preferential treatment” for “Effective date and termination of duty-free treatment” in section catchline and amended text generally, substituting provisions establishing a termination date of Dec. 31, 2006, for preferential treatment under this chapter for provisions

designated subsecs. (a) and (b) establishing an effective date of Dec. 4, 1991, for this chapter and a termination date 10 years later for duty-free treatment under this chapter.

RETROACTIVE APPLICATION FOR CERTAIN LIQUIDATIONS AND RELIQUIDATIONS

Pub. L. 107-210, div. C, title XXXI, §3104(b), Aug. 6, 2002, 116 Stat. 1034, provided that:

“(1) IN GENERAL.—Notwithstanding section 514 of the Tariff Act of 1930 [19 U.S.C. 1514] or any other provision of law, and subject to paragraph (3), the entry—

“(A) of any article to which duty-free treatment (or preferential treatment) under the Andean Trade Preference Act (19 U.S.C. 3201 et seq.) would have applied if the entry had been made on December 4, 2001, and

“(B) that was made after December 4, 2001, and before the date of the enactment of this Act [Aug. 6, 2002],

shall be liquidated or reliquidated as if such duty-free treatment (or preferential treatment) applied, and the Secretary of the Treasury shall refund any duty paid with respect to such entry.

“(2) ENTRY.—As used in this subsection, the term ‘entry’ includes a withdrawal from warehouse for consumption.

“(3) REQUESTS.—Liquidation or reliquidation may be made under paragraph (1) with respect to an entry only if a request therefor is filed with the Customs Service, within 180 days after the date of the enactment of this Act, that contains sufficient information to enable the Customs Service—

“(A) to locate the entry; or

“(B) to reconstruct the entry if it cannot be located.”

[For transfer of functions, personnel, assets, and liabilities of the United States Customs Service of the Department of the Treasury, including functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 203(1), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.]

CHAPTER 21—NORTH AMERICAN FREE TRADE

Sec.

3301. Definitions.

SUBCHAPTER I—APPROVAL OF, AND GENERAL PROVISIONS RELATING TO, NORTH AMERICAN FREE TRADE AGREEMENT

3311. Approval and entry into force of North American Free Trade Agreement.

(a) Approval of Agreement and statement of administrative action.

(b) Conditions for entry into force of Agreement.

3312. Relationship of Agreement to United States and State law.

(a) Relationship of Agreement to United States law.

(b) Relationship of Agreement to State law.

(c) Effect of Agreement with respect to private remedies.

3313. Consultation and layover requirements for, and effective date of, proclaimed actions.

(a) Consultation and layover requirements.

(b) Effective date of certain proclaimed actions.

3314. Implementing actions in anticipation of entry into force and initial regulations.

(a) Implementing actions.

(b) Initial regulations.

3315. United States Section of NAFTA Secretariat.

<p>Sec.</p> <p>(a) Establishment of United States Section.</p> <p>(b) Authorization of appropriations.</p> <p>(c) Reimbursement of certain expenses.</p> <p>3316. Appointments to chapter 20 panel proceedings.</p> <p>(a) Consultation.</p> <p>(b) Selection of individuals with environmental expertise.</p> <p>3317. Congressional intent regarding future accessions.</p> <p>(a) In general.</p> <p>(b) Future free trade area negotiations.</p> <p style="text-align: center;">SUBCHAPTER II—CUSTOMS PROVISIONS</p> <p>3331. Tariff modifications.</p> <p>(a) Tariff modifications provided for in Agreement.</p> <p>(b) Other tariff modifications.</p> <p>(c) Conversion to ad valorem rates for certain textiles.</p> <p>3332. Rules of origin.</p> <p>(a) Originating goods.</p> <p>(b) Regional value-content.</p> <p>(c) Automotive goods.</p> <p>(d) Accumulation.</p> <p>(e) De minimis amounts of non-originating materials.</p> <p>(f) Fungible goods and materials.</p> <p>(g) Accessories, spare parts, or tools.</p> <p>(h) Indirect materials.</p> <p>(i) Packaging materials and containers for retail sale.</p> <p>(j) Packing materials and containers for shipment.</p> <p>(k) Transshipment.</p> <p>(l) Nonqualifying operations.</p> <p>(m) Interpretation and application.</p> <p>(n) Origin of automatic data processing goods.</p> <p>(o) Special rule for certain agricultural products.</p> <p>(p) Definitions.</p> <p>(q) Presidential proclamation authority.</p> <p>3333. Drawback.</p> <p>(a) “Good subject to NAFTA drawback” defined.</p> <p>(b), (c) Omitted.</p> <p>(d) Elimination of drawback for fees under section 624 of title 7.</p> <p>(e) Inapplicability to countervailing and antidumping duties.</p> <p>3334. Prohibition on drawback for television picture tubes.</p> <p>3335. Monitoring of television and picture tube imports.</p> <p>(a) Monitoring.</p> <p>(b) Report to Trade Representative.</p> <p style="text-align: center;">SUBCHAPTER III—APPLICATION OF AGREEMENT TO SECTORS AND SERVICES</p> <p style="text-align: center;">PART A—SAFEGUARDS</p> <p style="text-align: center;">SUBPART 1—RELIEF FROM IMPORTS BENEFITING FROM AGREEMENT</p> <p>3351. Definitions.</p> <p>3352. Commencing of action for relief.</p> <p>(a) Filing of petition.</p> <p>(b) Investigation and determination.</p> <p>(c) Applicable provisions.</p> <p>(d) Articles exempt from investigation.</p> <p>3353. International Trade Commission action on petition.</p> <p>(a) Determination.</p> <p>(b) Additional finding and recommendation if determination affirmative.</p> <p>(c) Report to President.</p> <p>(d) Public notice.</p>	<p>Sec.</p> <p>(e) Applicable provisions.</p> <p>3354. Provision of relief.</p> <p>(a) In general.</p> <p>(b) Exception.</p> <p>(c) Nature of relief.</p> <p>(d) Period of relief.</p> <p>(e) Rate on Mexican articles after termination of import relief.</p> <p>3355. Termination of relief authority.</p> <p>(a) General rule.</p> <p>(b) Exception.</p> <p>3356. Compensation authority.</p> <p>3357. Submission of petitions.</p> <p>3358. Price-based snapback for frozen concentrated orange juice.</p> <p>(a) Trigger price determination.</p> <p>(b) Imports of Mexican articles.</p> <p>(c) Rate of duty.</p> <p>(d) Definitions.</p> <p style="text-align: center;">SUBPART 2—RELIEF FROM IMPORTS FROM ALL COUNTRIES</p> <p>3371. NAFTA article impact in import relief cases under Trade Act of 1974.</p> <p>(a) In general.</p> <p>(b) Factors.</p> <p>(c) “Contribute importantly” defined.</p> <p>3372. Presidential action regarding NAFTA imports.</p> <p>(a) In general.</p> <p>(b) Exclusion of NAFTA imports.</p> <p>(c) Action after exclusion of NAFTA country imports.</p> <p>(d) Condition applicable to quantitative restrictions.</p> <p style="text-align: center;">SUBPART 3—GENERAL PROVISIONS</p> <p>3381. Monitoring.</p> <p>3382. Procedures concerning conduct of International Trade Commission Investigations.</p> <p style="text-align: center;">PART B—AGRICULTURE</p> <p>3391. Agriculture.</p> <p>(a) Omitted.</p> <p>(b) Section 624 of title 7.</p> <p>(c) Tariff rate quotas.</p> <p>(d) Peanuts.</p> <p>(e) Fresh fruits, vegetables, and cut flowers.</p> <p>(f) End-use certificates.</p> <p>(g) Omitted.</p> <p>(h) Assistance for affected farmworkers.</p> <p>(i) Biennial report on effects of Agreement on American agriculture.</p> <p style="text-align: center;">PART C—TEMPORARY ENTRY OF BUSINESS PERSONS</p> <p>3401. Nonimmigrant traders and investors.</p> <p style="text-align: center;">PART D—STANDARDS</p> <p style="text-align: center;">SUBPART 1—STANDARDS AND MEASURES</p> <p>3411. Transportation.</p> <p style="text-align: center;">SUBPART 2—AGRICULTURAL STANDARDS</p> <p>3421. Agricultural standards.</p> <p>(a) to (f) Omitted.</p> <p>(g) Peanut butter and peanut paste.</p> <p>(h) Animal health biocontainment facility.</p> <p>(i) Reports on inspection of imported meat, poultry, other foods, animals, and plants.</p> <p style="text-align: center;">SUBCHAPTER IV—DISPUTE SETTLEMENT IN ANTIDUMPING AND COUNTERVAILING DUTY CASES</p> <p style="text-align: center;">PART A—ORGANIZATIONAL, ADMINISTRATIVE, AND PROCEDURAL PROVISIONS REGARDING IMPLEMENTATION OF CHAPTER 19 OF AGREEMENT</p> <p>3431. References in part.</p>
--	---