

Trade Expansion Act of 1962

TITLE I—SHORT TITLE AND PURPOSES

SEC. 101. SHORT TITLE.

This act may cited as the “Trade Expansion Act of 1962”.
(19 U.S.C. 1801 note)

SEC. 102. STATEMENT OF PURPOSES.

The purposes of this Act are, through trade agreements affording mutual trade benefits—

- (1) to stimulate the economic growth of the United States and maintain and enlarge foreign markets for the products of United States agriculture, industry, mining, and commerce;
- (2) to strengthen economic relations with foreign countries through the development of open and nondiscriminatory trading in the free world; and
- (3) to prevent Communist economic penetration.

(19 U.S.C. 1801)

TITLE II—TRADE AGREEMENTS

CHAPTER 1—GENERAL AUTHORITY

SEC. 201. BASIC AUTHORITY FOR TRADE AGREEMENTS.

(a) Whenever the President determines that any existing duties or other import restrictions of any foreign country or the United States are unduly burdening and restricting the foreign trade of the United States and that any of the purposes stated in section 102 will be promoted thereby, the President may—

- (1) after June 30, 1962, and before July 1, 1967, enter into trade agreements with foreign countries or instrumentalities thereof; and
- (2) proclaim such modification or continuance of any existing duty or other import restriction, such continuance of existing duty-free or excise treatment, or such additional import restrictions, as he determines to be required or appropriate to carry out any such trade agreement.

(b) Except as otherwise provided in this title, no proclamation pursuant to subsection (a) of this section shall be made—

- (1) decreasing any rate of duty to a rate below 50 percent of the rate existing on July 1, 1962; or
- (2) increasing any rate of duty to (or imposing) a rate more than 50 percent

above the rate existing on July 1, 1934.

(19 U.S.C. 1821)

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CHAPTER 4—NATIONAL SECURITY

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SEC. 232. SAFEGUARDING NATIONAL SECURITY.

(a) No action shall be taken pursuant to section 201(a) or pursuant to section 350 of the Tariff Act of 1930 to decrease or eliminate the duty or other import restriction on any article if the President determines that such reduction or elimination would threaten to impair the national security.

(b)(1)(A) Upon request of the head of any department or agency, upon application of an interested party, or upon his own motion, the Secretary of Commerce (hereafter in this section referred to as the “Secretary”) shall immediately initiate an appropriate investigation to determine the effects on the national security of imports of the article which is the subject of such request, application, or motion.

(B) The Secretary shall immediately provide notice to the Secretary of Defense of any investigation initiated under this section.

(2)(A) In the course of any investigation conducted under this subsection, the Secretary shall—

(i) consult with the Secretary of Defense regarding the methodological and policy questions raised in any investigation initiated under paragraph (1),

(ii) seek information and advice from, and consult with, appropriate officers of the United States, and

(iii) if it is appropriate and after reasonable notice, hold public hearings or otherwise afford interested parties an opportunity to present information and advice relevant to such investigation.

(B) Upon the request of the Secretary, the Secretary of Defense shall provide the Secretary an assessment of the defense requirements of any article that is the subject of an investigation conducted under this section.

(3)(A) By no later than the date that is 270 days after the date on which an investigation is initiated under paragraph (1) with respect to any article, the Secretary shall submit to the President a report on the findings of such investigation with respect

*1 Section. 202(19 U.S.C. 1822) was repealed by P.L. 93-918 Sec. 602(d) Jan. 3., 1975, 88 Stat. 2072.

*2 Chapter 2—EUROPEAN ECONOMIC COMMUNITY (Section. 211 to 213(19 U.S.C. 1831 to 1833)) were repealed by P.L. 93-918 Sec. 602(d) Jan. 3., 1975, 88 Stat. 2072.

Chapter 3—REQUIREMENTS CONCERNING NEGOTIATIONS (Section. 221 to 221(19 U.S.C. 1841 to 1846)) were repealed by P.L. 93-918 Sec. 602(d) Jan. 3., 1975, 88 Stat. 2072.

*3 Section. 231(19 U.S.C. 1861) was repealed by P.L. 93-918 Sec. 602(d) Jan. 3., 1975, 88 Stat. 2072.

to the effect of the importation of such article in such, quantities or under such circumstances upon the national security and, based on such findings, the recommendations of the Secretary for action or inaction under this section. If the Secretary finds that such article is being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security, the Secretary shall so advise the President in such report.

(B) Any portion of the report submitted by the Secretary under subparagraph (A) which does not contain classified information or proprietary information shall be published in the Federal Register.

(4) The Secretary shall prescribe such procedural regulations as may be necessary to carry out the provisions of this subsection.

(c)(1)(A) Within 90 days after receiving a report submitted under subsection (b)(3)(A) in which the Secretary finds that an article is being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security, the President shall—

(i) determine whether the President concurs with the finding of the Secretary, and

(ii) if the President concurs, determine the nature and duration of the action that, in the judgment of the President, must be taken to adjust the imports of the article and its derivatives so that such imports will not threaten to impair the national security.

(B) If the President determines under subparagraph (A) to take action to adjust imports of an article and its derivatives, the President shall implement that action by no later than the date that is 15 days after the day on which the President determines to take action under subparagraph (A).

(2) By no later than the date that is 30 days after the date on which the President makes any determinations under paragraph (1), the President shall submit to the Congress a written statement of the reasons why the President has decided to take action, or refused to take action, under paragraph (1). Such statement shall be included in the report published under subsection (e).

(3)(A) If—

(i) the action taken by the President under paragraph (1) is the negotiation of an agreement which limits or restricts the importation into, or the exportation to, the United States of the article that threatens to impair national security, and

(ii) either—

(I) no such agreement is entered into before the date that is 180 days after the date on which the President makes the determination under paragraph (1)(A) to take such action, or

(II) such an agreement that has been entered into is not being carried out or is ineffective in eliminating the threat to the national security posed by imports

of such article,
the President shall take such other actions as the President deems necessary to adjust the imports of such article so that such imports will not threaten to impair the national security. The President shall publish in the Federal Register notice of any additional actions being taken under this section by reason of this subparagraph.

(B) If—

(i) clauses (i) and (ii) of subparagraph (A) apply, and

(ii) the President determines not to take any additional actions under this subsection,

the President shall publish in the Federal Register such determination and the reasons on which such determination is based.

(d) For the purposes of this section, the Secretary and the President shall, in the light of the requirements of national security and without excluding other relevant factors, give consideration to domestic production needed for projected national defense requirements, the capacity of domestic industries to meet such requirements, existing and anticipated availabilities of the human resources, products, raw materials, and other supplies and services essential to the national defense, the requirements of growth of such industries and such supplies and services including the investment, exploration, and development necessary to assure such growth, and the importation of goods in terms of their quantities, availabilities, character, and use as those affect such industries and the capacity of the United States to meet national security requirements. In the administration of this section, the Secretary and the President shall further recognize the close relation of the economic welfare of the Nation to our national security, and shall take into consideration the impact of foreign competition on the economic welfare of individual domestic industries; and any substantial unemployment, decrease in revenues of government, loss of skills or investment, or other serious effects resulting from the displacement of any domestic products by excessive imports shall be considered, without excluding other factors, in determining whether such weakening of our internal economy may impair the national security.

(d)*(1) Upon the disposition of each request, application, or motion under subsection (b), the Secretary shall submit to the Congress, and publish in the Federal Register, a report on such disposition.

(2) The President shall submit to the Congress an annual report on the operation of the provisions of this section.

(f)(1) An action taken by the President under subsection (c) of this section to adjust imports of petroleum or petroleum products shall cease to have force and effect upon the enactment of a disapproval resolution, provided for in paragraph (2), relating to that action.

* So in original. Probably should be“(e)”.

(2)(A) This paragraph is enacted by the Congress—

(i) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedures to be followed in that House in the case of disapproval resolutions and such procedures supersede other rules only to the extent that they are inconsistent therewith; and

(ii) with the full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as any other rule of that House.

(B) For purposes of this subsection, the term “disapproval resolution” means only a joint resolution of either House of Congress the matter after the resolving clause of which is as follows: “That the Congress disapproves the action taken under section 232 of the Trade Expansion Act of 1962 with respect to petroleum imports under _____ dated _____.”, the first blank space being filled with the number of the proclamation, Executive order, or other Executive act issued under the authority of subsection (c) of this section for purposes of adjusting imports of petroleum or petroleum products and the second blank being filled with the appropriate date.

(C)(i) All disapproval resolutions introduced in the House of Representatives shall be referred to the Committee on Ways and Means and all disapproval resolutions introduced in the Senate shall be referred to the Committee on Finance.

(ii) No amendment to a disapproval resolution shall be in order in either the House of Representatives or the Senate, and no motion to suspend the application of this clause shall be in order in either House nor shall it be in order in either House for the Presiding Officer to entertain a request to suspend the application of this clause by unanimous consent.

(19 U.S.C. 1862)

(Amended by P.L. 100-418, Sec. 1501(a), (b)(1), Aug. 23, 1988, 102 Stat. 1267, 1258.)

SEC. 233 IMPORT SANCTIONS FOR EXPORT VIOLATIONS.

Any person who violates any national security export control imposed under section 5 of the Export Administration Act of 1979 (50 U.S.C. App. 2404) or any regulation, order, or license issued under that section, may be subject to such controls on the importing of goods or technology into the United States as the President may prescribe.

(19 U.S.C. 1864)

(Added by P.L. 99-64, Sec. 121, July. 12, 1985, 99 Stat. 155; Amended by P.L. 100-418, Sec. 2447(a), Aug. 23, 1988, 102 Stat. 1370.)

CHAPTER 5—ADMINISTRATIVE PROVISIONS

SEC. 242. INTERAGENCY TRADE ORGANIZATION.

(a)(1) The President shall establish an interagency organization.

(2) The functions of the organization are—

(A) to assist, and make recommendations to, the President in carrying out the functions vested in him by the trade laws and to advise the United States Trade Representative (hereinafter in this section referred to as the “Trade Representative”) in carrying out the functions set forth in section 141 of the Trade Act of 1974 ;

(B) to assist the President, and advise the Trade Representative, with respect to the development and implementation of the international trade policy objectives of the United States; and

(C) to advise the President and the Trade Representative with respect to the relationship between the international trade policy objectives of the United States and other major policy areas which may significantly affect the overall international trade policy and trade competitiveness of the United States.

(3) The interagency organization shall be composed of the following:

(A) The Trade Representative, who shall be chairperson.

(B) The Secretary of Commerce.

(C) The Secretary of State.

(D) The Secretary of the Treasury.

(E) The Secretary of Agriculture.

(F) The Secretary of Labor.

The Trade Representative may invite representatives from other agencies, as appropriate, to attend particular meetings if subject matters of specific functional interest to such agencies are under consideration. It shall meet at such times and with respect to such matters as the President or the Chairman shall direct.

(b) In assisting the President, the organization shall—

(1) make recommendations to the President on basic policy issues arising in the administration of the trade agreements program,

(2) make recommendations to the President as to what action, if any, he should take on reports submitted to him by the United States International Trade Commission under section 201(d)*² of the Trade Act of 1974,

(3) advise the President of the results of hearings held pursuant to section 302(b)(2)*³ of the Trade Act of 1974, and recommend appropriate action with respect thereto, and

*1 Section. 241(19 U.S.C. 1871) was repealed by P.L. 93-918 Sec. 602(d) Jan. 3., 1975, 88 Stat. 2072.

*2 So in original. Probably should be “202(f)”.

*3 So in original.

(4) perform such other functions with respect to the trade agreements program as the President may from time to time designate.

In carrying out its functions under this subsection, the organization shall take into account the advice of the congressional advisers and private sector advisory committees, as well as that of any committee or other body established to advise the department, agency, or office which a member of the organization heads.

(c) The organization shall, to the maximum extent practicable, draw upon the resources of the agencies represented in the organization, as well as such other agencies as it may determine, including the United States International Trade Commission. In addition, the President may establish by regulation such procedures and committees as he may determine to be necessary to enable the organization to provide for the conduct of hearings pursuant to section 302(b)(2)*¹ of the Trade Act of 1974, and for the carrying out of other functions assigned to the organization pursuant to this section.

(19 U.S.C. 1872)

(Amended by P.L. 100-418, Sec. 1621(a), Aug. 23, 1988, 102 Stat. 1263.)

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CHAPTER 6—GENERAL PROVISIONS

SEC. 251. MOST-FAVORED-NATION PRINCIPLE.

Except as otherwise provided in this title, in section 350 of the Tariff Act of 1930, or in section 401(a) of the Tariff Classification Act of 1962, any duty or other import restriction or duty-free treatment proclaimed in carrying out any trade agreement under this title or section 350 of the Tariff Act of 1930 shall apply to products of all foreign countries, whether imported directly or indirectly.

(19 U.S.C. 1881)

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SEC. 255. TERMINATION OF PROCLAMATIONS.

(b)*⁴ The President may at any time terminate, in whole or in part, any proclamation made under this title.

(19 U.S.C. 1885)

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SEC. 257. RELATION TO OTHER LAWS.

(a) to (g) [Omitted.]

(h) Nothing contained in this chapter shall be construed to affect in any way the

*¹ So in original.

*² Section. 243(19 U.S.C. 1873) was repealed by P.L. 93-918 Sec. 602(d) Jan. 3., 1975, 88 Stat. 2072.

*³ Section. 252 to 254(19 U.S.C. 1882 to 1884) was repealed by P.L. 93-918 Sec. 602(d) Jan. 3., 1975, 88 Stat. 2072.

*⁴ Subsection. 255(a) was repealed by P.L. 93-918 Sec. 602(d) Jan. 3., 1975, 88 Stat. 2072.

*⁵ Section. 256(19 U.S.C. 1886) was repealed by P.L. 93-918 Sec. 602(d) Jan. 3., 1975, 88 Stat. 2072.

provisions of section 22 of Agriculture Adjustment Act, or to apply to any import restriction heretofore or hereafter imposed under such section.
(19 U.S.C. 1887)

SEC. 258. REFERENCES.

All provisions of law (other than this Act and the Trade Agreements Extension Act of 1951) in effect after June 30, 1962, referring to section 350 of the Tariff Act of 1930, to that section as amended, to the Act entitled “An Act to amend the Tariff Act of 1930”, approved June 12, 1934, to that Act as amended, or to agreements entered into, or proclamations issued, under any of such provisions, shall be construed, unless clearly precluded by the context, to refer also to this Act, or to agreements entered into or proclamations issued, pursuant to this Act.
(19 U.S.C. 1888)

TITLE III—TARIFF ADJUSTMENT AND OTHER ADJUSTMENT ASSISTANCE

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CHAPTER 2—ADJUSTMENT ASSISTANCE TO FIRMS

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SEC. 316. ADMINISTRATION OF FINANCIAL ASSISTANCE; RECORDING OF MORTGAGES

(a) In making and administering guarantees, agreements for deferred participation, and loans under section 314, the Secretary of Commerce may—

(1) require security for any such guarantee, agreement, or loan, and enforce, waive, or subordinate such security;

(2) assign or sell at public or private sale, or otherwise dispose of, upon such terms and conditions and for such consideration as he shall determine to be reasonable, any evidence of debt, contract, claim, personal property, or security assigned to or held by him in connection with such guarantees, agreements, or loans, and collect, compromise, and obtain deficiency judgments with respect to all obligations assigned to or held by him in connection with such guarantees, agreements, or loans until such time as such obligations may be referred to the Attorney General for suit or collection;

(3) renovate, improve, modernize, complete, insure, rent, sell, or otherwise deal with, upon such terms and conditions and for such consideration as he shall determine to be reasonable, any real or personal property conveyed to or otherwise

*1 Chapter 1—ELIGIBILITY FOR ASSISTANCE (Section. 301 and 302(19 U.S.C. 1901 and 1902)) were repealed by P.L. 93-918 Sec. 602(d),(e) Jan. 3., 1975, 88 Stat. 2072.

*2 Section. 311 to 315(19 U.S.C. 1911 to 1915) was repealed by P.L. 93-918 Sec. 602(e) Jan. 3., 1975, 88 Stat. 2072.

acquired by him in connection with such guarantees, agreements, or loans:

(4) acquire, hold, transfer, release, or convey any real or personal property or any interest therein whenever deemed necessary or appropriate, and execute all legal documents for such purposes; and

(5) exercise all such other powers and take all such other acts as may be necessary or incidental to the carrying out of functions pursuant to section 314.

(b) Any mortgage acquired as security under subsection (a) of this section shall be recorded under applicable State law.

(19 U.S.C. 1916)

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SEC. 318. PROTECTIVE PROVISIONS.

(a) Each recipient of adjustment assistance under section 313, 314, or 319, shall keep records which fully disclose the amount and disposition by such recipient of the proceeds, if any, of such adjustment assistance, and which will facilitate an effective audit. The recipient shall also keep such other records as the Secretary of Commerce may prescribe.

(b) The Secretary of Commerce and the Comptroller General of the United States shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient pertaining to adjustment assistance under sections 313, 314, and 317.

(c) No adjustment assistance shall be extended under section 313, 314, or 317 to any firm unless the owners, partners, or officers certify to the Secretary of Commerce—

(1) the names of any attorneys, agents, and other persons engaged by or on behalf of the firm for the purpose of expediting applications for such adjustment assistance, and

(2) the fees paid or to be paid to any such person.

(d) No financial assistance shall be provided to any firm under section 314 unless the owners, partners, or officers shall execute an agreement binding them and the firm for a period of 2 years after such financial assistance is provided, to refrain from employing, tendering any office or employment to, or retaining for professional services any person who, on the date such assistance or any part thereof was provided, or within one year prior thereto, shall have served as an officers, attorney, agent, or employee occupying a position or engaging in activities which the Secretary of Commerce shall have determined involve discretion with respect to the provision of such financial assistance.

(19 U.S.C. 1918)

SEC. 319. PENALTIES.

Whoever makes a false statement of a material fact knowing it to be false, or

* Section. 317(19 U.S.C. 1917) was repealed by P.L. 93-918 Sec. 602(e) Jan. 3., 1975, 88 Stat. 2072.

knowingly fails to disclose a material fact, or whoever willfully overvalues any security, for the purpose of influencing in any way the action of the Secretary of Commerce under this chapter, or for the purpose of obtaining money, property, or anything of value under this chapter, shall be fined not more than \$5,000 or imprisoned for not more than two years, or both.

(19 U.S.C. 1919)

SEC. 320. SUITS.

In providing technical and financial assistance under sections 313 and 314, the Secretary of Commerce may sue and be sued in any court of record of a State having general jurisdiction or in any United States district court, and jurisdiction is conferred upon such district court to determine such controversies without regard to the amount in controversy; but no attachment, injunction, garnishment, or other similar process, mesne or final, shall be issued against him or his property. Nothing in this section shall be construed to except the activities pursuant to sections 313 and 314 from the application of sections 507(b) and 2679 of title 28 of the United States Code, and section 367 of Revised Statutes (5 U.S.C., sec. 316)*¹.

(19 U.S.C. 1920)

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CHAPTER 4—TARIFF ADJUSTMENT

SEC. 351. AUTHORITY

(a)(1) After receiving an affirmative finding of the United States International Trade Commission under section 301(b) with respect to an industry, the President may proclaim such increase in, or imposition of, any duty or other import restriction on the article causing or threatening to cause serious injury to such industry as he determines to be necessary to prevent or remedy serious injury to such industry.

(2) If the President does not, within 60 days after the date on which he receives such affirmative finding, proclaim the increase in, or imposition of, any duty or other import restriction on such article found and reported by the United States International Trade Commission pursuant to section 301(e)—

(A) he shall immediately submit a report to the House of Representatives and to the Senate stating why he has not proclaimed such increase or imposition, and

(B) such increase or imposition shall take effect (as provided in paragraph (3))

*¹ P.L. 89-554 amended title 5 of United States Code, generally. so, “ sections 507(b) and 2679 of title 28 of the United States Code, and section 367 of Revised Statutes (5 U.S.C., sec. 316)” is now “517, 519, and 2679 of title 28”. by authority of P.L. 89-554 Sec. 7(b), Sep. 6, 1966, 80 Stat. 631.

*² Chapter 3—ADJUSTMENT ASSISTANCE TO WORKERS (Section. 321 to 338(19 U.S.C. 1931, 1941 to 1944, 1951 and 1952, 1961 to 1963 and 1971 to 1978)) were repealed by P.L. 93-918 Sec. 602(e) Jan. 3., 1975, 88 Stat. 2072.

upon the adoption by both Houses of the Congress (within the 60-day period following the date on which the report referred to in subparagraph (A) is submitted to the House of Representatives and the Senate), by the yeas and nays by the affirmative vote of a majority of the authorized membership of each House, of a concurrent resolution stating in effect that the Senate and House of Representatives approve the increase in, or imposition of, any duty or other import restriction on the article found and reported by the United States International Trade Commission.

For purposes of subparagraph (B), in the computation of the 60-day period there shall be excluded the days on which either House is not in session because of adjournment of more than 3 days to a day certain or an adjournment of the Congress sine die. The report referred to in subparagraph (A) shall be delivered to both Houses of the Congress on the same day and shall be delivered to the Clerk of the House of Representatives if the House of Representatives is not in session and to the Secretary of the Senate if the Senate is not in session.

(3) In any case in which the contingency set forth in paragraph (2)(B) occurs, the President shall (within 15 days after the adoption of such resolution) proclaim the increase in, or imposition of, any duty or of the import restriction on the article which was found and reported by the United States International Trade Commission pursuant to section 301(e).

(4) The President may, within 60 days after the date on which he receives an affirmative finding of the United States International Trade Commission under section 301(b) with respect to an industry, request additional information from the United States International Trade Commission. The United States International Trade Commission shall, as soon as practicable but in no event more than 120 days after the date on which it receives the President's request, furnish additional information with respect to such industry in a supplemental report. For purposes of paragraph (2), the date on which the President receives such supplemental report shall be treated as the date on which the President received the affirmative finding of the United States International Trade Commission with respect to such industry.

(b) No proclamation pursuant to subsection (a) of this section shall be made—

(1) increasing any rate of duty to a rate more than 50 percent above the rate existing on July 1, 1934, or, if the article is dutiable but no rate existed on July 1, 1934, the rate existing at the time of the proclamation,

(2) in the case of an article not subject to duty, imposing a duty in excess of 50 percent ad valorem.

For purposes of paragraph(1), the term “existing on July 1,1934” has the meaning assigned to such term by paragraph (5) of section 256.

(c)(1) Any increase in, or imposition of, any duty or other import restriction proclaimed pursuant to this section or section 7 of the Trade Agreements Extension Act of 1951—

(A) may be reduced or terminated by the President when he determines, after taking into account the advice received from the United States International Trade Commission under subsection (d)(2) of this section and after seeking advice of the Secretary of Commerce and the Secretary of Labor, that such reduction or termination is in the national interest, and

(B) unless extended under section 203 of the Trade Act of 1974, shall terminate not later than the close of the date which is 4 years (or, in the case of any such increase or imposition proclaimed pursuant to such section 7, 5 years) after the effective date of the initial proclamation or October 11, 1962, whichever date is the later.

*¹ (d)(1) So long as any increase in, or imposition of, any duty or other import restriction pursuant to this section or pursuant to section 7 of the Trade Agreements Extension Act of 1951 remains in effect, the United States International Trade Commission shall keep under review developments with respect to the industry concerned; and shall make annual reports to the President concerning such developments.

(2) Upon request of the President or upon its own motion, the United States International Trade Commission shall advise the President of its judgment as to the probable economic effect on the industry concerned of the reduction or termination of the increase in, or imposition of, any duty or other import restriction pursuant to this section or section 7 of the Trade Agreements Extension Act of 1951.

*² (4) In advising the President under this subsection as to the probable economic effect on the industry concerned, the United States International Trade Commission shall take into account all economic factors which it considers relevant, including idling of productive facilities, inability to operate at a level of reasonable profit, and unemployment or underemployment

(5) Advice by the United States International Trade Commission under this subsection shall be given on the basis of an investigation during the course of which the United States International Trade Commission shall hold a hearing at which interested persons shall be given a reasonable opportunity to be present to produce evidence, and to be heard.

(e) The President, as soon as practicable, shall take such action as he determines to be necessary to bring trade agreements entered into under section 350 of the Tariff Act of 1930 into conformity with the provisions of this section. No trade agreement shall be entered into under section 201(a) unless such agreement permits action in conformity with the provisions of this section.

(19 U.S.C. 1981)

*¹ Paragraph (c)(2) was repealed by P. L. 93-918 Sec. 602(d) Jan. 3., 1975, 88 Stat. 2072.

*² Paragraph (d)(3) was repealed by P. L. 93-918 Sec. 602(d) Jan. 3., 1975, 88 Stat. 2072.

SEC. 352. ORDERLY MARKETING AGREEMENTS.

(a) After receiving an affirmative finding of the United States International Trade Commission under section 301(b) with respect to an industry, the President may, in lieu of exercising the authority contained in section 1981(a)(1) of this title but subject to the provisions of sections 351(a)(2), (3), and (4), negotiate international agreements with foreign countries limiting the export from such countries and the import into the United States of the article causing or threatening to cause serious injury to such industry, whenever he determines that such action would be more appropriate to prevent or remedy serious injury to such industry than action under section 351(a)(1).

(b) In order to carry out an agreement concluded under subsection (a) of this section, the President is authorized, to issue regulations governing the entry or withdrawal from warehouse of the article covered by such agreement. In addition, in order to carry out a multilateral agreement concluded under subsection (a) of this section among countries accounting for a significant part of world trade in the article covered by such agreement, the President is also authorized to issue regulations governing the entry or withdrawal from warehouse of the like article which is the product of countries not parties to such agreement.

(19 U.S.C. 1982)

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TITLE IV—GENERAL PROVISIONS

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SEC. 405. DEFINITIONS

For purposes of this Act—

*3 (2) The term “duty or other import restriction” includes (A) the rate and form of an import duty, and (B) a limitation, prohibition, charge, and exaction other than duty, imposed on importation or imposed for the regulation of imports.

*4 (6) The term “modification”, as applied to any duty or other import restriction, includes the elimination of any duty.

(19 U.S.C. 1806)

*1 Chapter 5—ADVISORY BOARD (Section. 361(19 U.S.C. 1991)) was repealed by P.L. 93-918 Sec. 602(d) Jan. 3., 1975, 88 Stat. 2072.

*2 Section. 401 to 404(19 U.S.C. 1802 to 1804) was repealed by P.L. 93-918 Sec. 602(d) Jan. 3., 1975, 88 Stat. 2072.

*3 Paragraph (1) was repealed by P. L. 93-918 Sec. 602(d) Jan. 3., 1975, 88 Stat. 2072.

*4 Paragraph (3) to (5) was repealed by P. L. 93-918 Sec. 602(d) Jan. 3., 1975, 88 Stat. 2072.

This Provision is enacted as Chapter 7—Trade Expansion Program of Title 19—Customs Duties of United States Code, but was not enacted as Trade Expansion Act of 1962.

Pub. L.90-14, May 5, 1967, 81 Stat. 14.

Be it enacted by Senate and House of Representatives of the United States of America in Congress assembled, That for purposes of Trade Expansion Act of 1962, section 201(b)(1) (relating to limit on decrease in duty), sections 221, 223, and 224 (relating to certain requirements concerning negotiations), and section 253 (relating to staging requirements) shall not apply with respect to dicyandiamide provided for in item 425.40 of the Tariff Schedules of the United States, and shall not apply with respect to limestone, when imported to be used in the manufacture of cement, provided for in item 513.34 of such Schedules.

(19 U.S.C. 1823)