

days after suspension by the foreign country or instrumentality.

**(5) Report to Congress**

The Secretary shall not suspend the requirements established under paragraph (1) under circumstances identified in paragraph (3) before the Secretary submits a report to Congress detailing the determination made under paragraph (3) and the reasons for making the determination.

**(6) Compliance**

It shall be a violation of section 1001 of title 18 for a person to engage in fraud or knowingly violate this subsection or a regulation implementing this subsection.

**(7) Effective date**

This subsection shall become effective on the date that is 120 days after December 8, 1993.

**(g) Omitted**

**(h) Assistance for affected farmworkers**

**(1) In general**

Subject to paragraph (3), if at any time the Secretary of Agriculture determines that the implementation of the Agreement has caused low-income migrant or seasonal farmworkers to lose income, the Secretary may make available grants, not to exceed \$20,000,000 for any fiscal year, to public agencies or private organizations with tax-exempt status under section 501(c)(3) of title 26, that have experience in providing emergency services to low-income migrant or seasonal farmworkers. Emergency services to be provided with assistance received under this subsection may include such types of assistance as the Secretary determines to be necessary and appropriate.

**(2) “Low-income migrant or seasonal farmworker” defined**

As used in this subsection, the term “low-income migrant or seasonal farmworker” shall have the same meaning as provided in section 5177a(b) of title 42.

**(3) Authorization of appropriations**

There are authorized to be appropriated \$20,000,000 for each fiscal year to carry out this subsection.

**(i) Biennial report on effects of Agreement on American agriculture**

**(1) In general**

The Secretary of Agriculture shall prepare a biennial report on the effects of the Agreement on United States producers of agricultural commodities and on rural communities located in the United States.

**(2) Contents of report**

The report required under this subsection shall include—

(A) an assessment of the effects of implementing the Agreement on the various agricultural commodities affected by the Agreement, on a commodity-by-commodity basis;

(B) an assessment of the effects of implementing the Agreement on investments

made in United States agriculture and on rural communities located in the United States;

(C) an assessment of the effects of implementing the Agreement on employment in United States agriculture, including any gains or losses of jobs in businesses directly or indirectly related to United States agriculture; and

(D) such other information and data as the Secretary determines appropriate.

**(3) Submission of report**

The Secretary shall furnish the report required under this subsection to the Committee on Agriculture, Nutrition, and Forestry of the Senate and to the Committee on Agriculture of the House of Representatives. The report shall be due every 2 years and shall be submitted by March 1 of the year in which the report is due. The first report shall be due by March 1, 1997, and the final report shall be due by March 1, 2011.

(Pub. L. 103–182, title III, §321, Dec. 8, 1993, 107 Stat. 2108.)

REFERENCES IN TEXT

This Act, referred to in subsec. (d)(1)(A), is Pub. L. 103–182, Dec. 8, 1993, 107 Stat. 2057, known as the North American Free Trade Agreement Implementation Act. For complete classification of this Act to the Code, see Short Title note set out under section 3301 of this title and Tables.

Section 1359a of title 7, referred to in subsec. (d)(1)(A)(i), was repealed by Pub. L. 107–171, title I, §1309(a)(1), May 13, 2002, 116 Stat. 179.

Section 1445c–3(f) of title 7, referred to in subsec. (d)(1)(A)(ii), was repealed by Pub. L. 104–127, title I, §171(b)(2)(E), Apr. 4, 1996, 110 Stat. 938.

CODIFICATION

Section is comprised of section 321 of Pub. L. 103–182. Subsec. (a) of section 321 of Pub. L. 103–182 amended provisions set out as a note under section 2253 of this title. Subsec. (d)(1)(B) of section 321 of Pub. L. 103–182 amended section 1359a of Title 7, Agriculture. Subsec. (g) of section 321 of Pub. L. 103–182 amended provisions set out as a note under section 5622 of Title 7.

TRANSFER OF FUNCTIONS

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.

PART C—TEMPORARY ENTRY OF BUSINESS PERSONS

**§ 3401. Nonimmigrant traders and investors**

Upon a basis of reciprocity secured by the Agreement, an alien who is a citizen of Canada or Mexico, and the spouse and children of any such alien if accompanying or following to join such alien, may, if otherwise eligible for a visa and if otherwise admissible into the United States under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), be considered to be classifiable as a nonimmigrant under section

101(a)(15)(E) of such Act (8 U.S.C. 1101(a)(15)(E)) if entering solely for a purpose specified in Section B of Annex 1603 of the Agreement, but only if any such purpose shall have been specified in such Annex on the date of entry into force of the Agreement. For purposes of this section, the term “citizen of Mexico” means “citizen” as defined in Annex 1608 of the Agreement.

(Pub. L. 103-182, title III, §341(a), Dec. 8, 1993, 107 Stat. 2116.)

#### REFERENCES IN TEXT

The Immigration and Nationality Act, referred to in text, is act June 27, 1952, ch. 477, 66 Stat. 163, as amended, which is classified principally to chapter 12 (§1101 et seq.) of Title 8, Aliens and Nationality. For complete classification of this Act to the Code, see Short Title note set out under section 1101 of Title 8 and Tables.

#### EFFECTIVE DATE

Pub. L. 103-182, title III, §342, Dec. 8, 1993, 107 Stat. 2118, provided that: “The provisions of this subtitle [subtitle D (§§341, 342) of title III of Pub. L. 103-182, enacting this section and amending section 1184 of Title 8, Aliens and Nationality] take effect on the date the Agreement enters into force with respect to the United States [Jan. 1, 1994].”

#### NORTH AMERICAN FREE TRADE AGREEMENT: ENTRY INTO FORCE

The North American Free Trade Agreement entered into force on Jan. 1, 1994, see note set out under section 3311 of this title.

### PART D—STANDARDS

#### SUBPART 1—STANDARDS AND MEASURES

##### § 3411. Transportation

No regulation issued by the Secretary of Transportation implementing a recommendation of the Land Transportation Standards Subcommittee established under article 913(5)(a)(i) of the Agreement may take effect before the date 90 days after the date of issuance.

(Pub. L. 103-182, title III, §352, Dec. 8, 1993, 107 Stat. 2122.)

#### SUBPART 2—AGRICULTURAL STANDARDS

##### § 3421. Agricultural standards

###### (a) to (f) Omitted

###### (g) Peanut butter and peanut paste

###### (1) In general

Except as provided in paragraph (2), all peanut butter and peanut paste in the United States domestic market shall be processed from peanuts that meet the quality standards established for peanuts under Marketing Agreement No. 146.

###### (2) Imports

Peanut butter and peanut paste imported into the United States shall comply with paragraph (1) or with sanitary measures that achieve at least the same level of sanitary protection.

###### (h) Animal health biocontainment facility

###### (1) Grant for construction

The Secretary of Agriculture shall make a grant to a land grant college or university de-

scribed in paragraph (2) for the construction of a facility at the college or university for the conduct of research in animal health, disease-transmitting insects, and toxic chemicals that requires the use of biocontainment facilities and equipment. The facility to be constructed with the grant shall be known as the “Southwest Regional Animal Health Biocontainment Facility”.

###### (2) Grant recipient described

To be eligible for the grant under paragraph (1), a land grant college or university must be—

(A) located in a State adjacent to the international border with Mexico; and

(B) determined by the Secretary of Agriculture to have an established program in animal health research and education and to have a collaborative relationship with one or more colleges of veterinary medicine or universities located in Mexico.

###### (3) Activities of the facility

The facility constructed using the grant made under paragraph (1) shall be used for conducting the following activities:

(A) The biocontainment facility shall offer the ability to organize multidisciplinary international teams working on basic and applied research on diagnostic method development and disease control strategies, including development of vaccines.

(B) The biocontainment facility shall support research that will improve the scientific basis for regulatory activities, decreasing the need for new regulatory programs and enhancing international trade.

(C) The biocontainment facility shall allow academic institutions, governmental agencies, and the private sector to conduct research in basic and applied research biology, epidemiology, pathogenesis, host response, and diagnostic methods, on disease agents that threaten the livestock industries of the United States and Mexico.

(D) The biocontainment facility may be used to support research involving food safety, toxicology, environmental pollutants, radioisotopes, recombinant microorganisms, and selected naturally resistant or transgenic animals.

###### (4) Authorization of appropriations

There are authorized to be appropriated for each fiscal year such sums as are necessary to carry out this subsection.

###### (i) Reports on inspection of imported meat, poultry, other foods, animals, and plants

###### (1) Definitions

As used in this subsection:

###### (A) Imports

The term “imports” means any meat, poultry, other food, animal, or plant that is imported into the United States in commercially significant quantities.

###### (B) Secretary

The term “Secretary” means the Secretary of Agriculture.

###### (2) In general

In consultation with representatives of other appropriate agencies, the Secretary shall pre-