

“(1) The rates of duty in rate column numbered 1 of the Tariff Schedules of the United States for item 149.48 (as added by the first section of this Act and amended by subsection (b) of this section) shall be treated as not having the status of statutory provisions enacted by the Congress, but as having been proclaimed by the President as being required or appropriate to carry out foreign trade agreements to which the United States is a party.

“(2) For purposes of section 351(b) of the Trade Expansion Act of 1962 [subsec. (b) of this section], the rate of duty in rate column numbered 2 of the Tariff Schedules of the United States for item 149.48 (as added by the first section of this Act) shall be treated as the rate of duty existing on July 1, 1934.”

Pub. L. 89-651, § 9, Oct. 14, 1966, 80 Stat. 902, provided that: “Any duty-free treatment provided for in this Act [see Short Title note set out preceding section 1202 of this title] shall, for purposes of title III of the Trade Expansion Act of 1962 (76 Stat. 883; 19 U.S.C., secs. 1901 to 1991) [this subchapter], be treated as a concession granted under a trade agreement: *Provided*, That any action taken pursuant to section 351 of such Act [this section] as the result of this section shall be consistent with obligations of the United States under trade agreements.”

Pub. L. 89-388, § 4, Apr. 13, 1966, 80 Stat. 110, provided that: “For purposes of applying paragraphs (4) and (5) of section 256 (19 U.S.C. 1886) and section 351(b) (19 U.S.C. 1981(b)) of the Trade Expansion Act of 1962 and section 350(c)(2)(A) of the Tariff Act of 1930 (19 U.S.C. 1351(c)(2)(A))—

“(1) The rates of duty in rate column numbered 1 of the Tariff Schedules of the United States as changed by this Act shall be treated as the rates of duty existing on July 1, 1962.

“(2) The rates of duty in rate column numbered 2 of such Schedules as changed by this Act shall be treated as the rates of duty existing on July 1, 1934.”

Pub. L. 89-241, § 3, Oct. 7, 1965, 79 Stat. 933, provided that:

“(a) For purposes of applying paragraphs (4) and (5) of section 256 (19 U.S.C., sec. 1886) and section 351(b) (19 U.S.C., sec. 1981(b)) of the Trade Expansion Act of 1962 and section 350(c)(2)(A) of the Tariff Act of 1930 (19 U.S.C., sec. 1351(c)(2)(A))—

“(1) The rates of duty in rate column numbered 1 of the Tariff Schedules of the United States as changed by this Act shall be treated as the rates of duty existing on July 1, 1962.

“(2) The rates of duty in rate column numbered 2 of such Schedules as changed by this Act shall be treated as the rates of duty existing on July 1, 1934.

“(b) The rates of duty in rate column numbered 1 of the Tariff Schedules of the United States as changed by this Act which are lower than the rates of duty in rate column numbered 2 of such Schedules for the corresponding items shall be treated—

“(1) as not having the status of statutory provisions enacted by the Congress, but

“(2) as having been proclaimed by the President as being required or appropriate to carry out foreign trade agreements to which the United States is a party.

“(c) The changes in part 2 of the Appendix to the Tariff Schedules of the United States made by section 30 of this Act [to items 923.75 and 923.77] shall be treated—

“(1) as not having the status of statutory provisions enacted by the Congress, but

“(2) as having been proclaimed by the President pursuant to paragraph (2) of section 102 of the Tariff Classification Act of 1962 (19 U.S.C., sec. 1202 note).

“(d) The changes in part 3 of the Appendix to the Tariff Schedules of the United States made by section 88 of this Act [to headnote 2(b), (c)] shall be treated—

“(1) as not having the status of statutory provisions enacted by the Congress, but

“(2) as having been proclaimed by the President pursuant to section 22 of the Agricultural Adjustment Act, as amended (7 U.S.C., sec. 624).”

[The Tariff Schedules of the United States were replaced by the Harmonized Tariff Schedule of the United States which is not set out in the Code. See Publication of Harmonized Tariff Schedule note set out under section 1202 of this title.]

## § 1982. Marketing agreements

### (a) Negotiations

After receiving an affirmative finding of the United States International Trade Commission under section 1901(b)<sup>1</sup> of this title 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 1981(a)(2), (3), and (4) of this title, 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 1981(a)(1) of this title.

### (b) Regulations governing entry or withdrawal from warehouse

In order to carry out an agreement concluded under subsection (a), 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) 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.

(Pub. L. 87-794, title III, § 352, Oct. 11, 1962, 76 Stat. 901; Pub. L. 93-618, title I, § 171(b), Jan. 3, 1975, 88 Stat. 2009.)

#### REFERENCES IN TEXT

Section 1901 of this title, referred to in subsec. (a), was repealed by Pub. L. 93-618, title VI, § 602(d), (e), Jan. 3, 1975, 88 Stat. 2072. See section 2251 et seq. of this title.

#### AMENDMENTS

1975—Subsec. (a). Pub. L. 93-618 substituted “United States International Trade Commission” for “United States Tariff Commission”.

#### DELEGATION OF FUNCTIONS

Functions of President under subsec. (b) of this section, concerning issuance of regulations governing entry, or withdrawal from warehouses for consumption, of articles pursuant to any orderly marketing agreement, delegated to Secretary of the Treasury, see section 5(b) of Ex. Ord. No. 11846, Mar. 27, 1975, 40 F.R. 14291, set out as a note under section 2111 of this title.

#### PART V—ADVISORY BOARD

### § 1991. Repealed. Pub. L. 93-618, title VI, § 602(d), Jan. 3, 1975, 88 Stat. 2072

Section, Pub. L. 87-794, title III, § 361, Oct. 11, 1962, 76 Stat. 901, established the Adjustment Assistance Advisory Board.

<sup>1</sup> See References in Text note below.

**CHAPTER 8—AUTOMOTIVE PRODUCTS****SUBCHAPTER I—STATEMENT OF PURPOSES**

- Sec.  
2001. Congressional declaration of purposes.
- SUBCHAPTER II—BASIC AUTHORITIES**
2011. Implementation of the Agreement.  
2012. Omitted.  
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**SUBCHAPTER III—TARIFF ADJUSTMENT AND OTHER ADJUSTMENT ASSISTANCE**

2021. General authority.  
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**SUBCHAPTER IV—GENERAL PROVISIONS**

2031. Authorities; delegation of functions; rules and regulations.  
2032. Annual report to Congress.  
2033. Applicability of antidumping provisions and antitrust laws.

**SUBCHAPTER I—STATEMENT OF PURPOSES****§ 2001. Congressional declaration of purposes**

The purposes of this chapter are—

(1) to provide for the implementation of the Agreement Concerning Automotive Products Between the Government of the United States of America and the Government of Canada signed on January 16, 1965 (hereinafter referred to as the “Agreement”), in order to strengthen the economic relations and expand trade in automotive products between the United States and Canada; and

(2) to authorize the implementation of such other international agreements providing for the mutual reduction or elimination of duties applicable to automotive products as the Government of the United States may hereafter enter into.

(Pub. L. 89–283, title I, § 102, Oct. 21, 1965, 79 Stat. 1016.)

**REFERENCES IN TEXT**

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 89–283, Oct. 21, 1965, 79 Stat. 1016, as amended. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

**SHORT TITLE**

Pub. L. 89–283, title I, § 101, Oct. 21, 1965, 79 Stat. 1016, provided that: “This Act [enacting this chapter, amending section 1202 of this title and Schedules 2, 3, 5, 6, and 7 of the Tariff Schedules of the United States, and enacting provisions set out as a note preceding section 1202 of this title] may be cited as the ‘Automotive Products Trade Act of 1965’.”

**SUBCHAPTER II—BASIC AUTHORITIES****§ 2011. Implementation of the Agreement****(a) Modification of Harmonized Tariff Schedule**

The President is authorized to proclaim the modifications of the Harmonized Tariff Schedule of the United States provided for in title IV of this Act.

**(b) Duty-free treatment of Canadian motor-vehicle equipment**

At any time after the issuance of the proclamation authorized by subsection (a), the Presi-

dent is authorized to proclaim further modifications of the Harmonized Tariff Schedule of the United States to provide for the duty-free treatment of any Canadian article which is original motor-vehicle equipment (as defined by such Schedules as modified pursuant to subsection (a)) if he determines that the importation of such article is actually or potentially of commercial significance and that such duty-free treatment is required to carry out the Agreement.

(Pub. L. 89–283, title II, § 201, Oct. 21, 1965, 79 Stat. 1016; Pub. L. 100–418, title I, § 1214(i), Aug. 23, 1988, 102 Stat. 1157.)

**REFERENCES IN TEXT**

The Harmonized Tariff Schedule of the United States, referred to in text, is not set out in the Code. See Publication of Harmonized Tariff Schedule note set out under section 1202 of this title.

Title IV of this Act, referred to in subsec. (a), means title IV of Pub. L. 89–283 which amended section 1202 of this title and Schedules 2, 3, 5, 6, and 7 of the Tariff Schedules of the United States, and enacted provisions set out as a note preceding section 1202 of this title.

The Agreement, referred to in subsec. (b), is the Agreement Concerning Automotive Products, which was entered into between the United States and Canada on January 16, 1965, see Proc. No. 3682, Oct. 21, 1965, 30 F.R. 13683 and Proc. No. 3743, Sept. 8, 1966, 31 F.R. 12003, set out as notes below.

**AMENDMENTS**

1988—Subsecs. (a), (b). Pub. L. 100–418 substituted “Harmonized Tariff Schedule of the United States” for “Tariff Schedules of the United States”.

**EFFECTIVE DATE OF 1988 AMENDMENT**

Amendment by Pub. L. 100–418 effective Jan. 1, 1989, and applicable with respect to articles entered on or after such date, see section 1217(b)(1) of Pub. L. 100–418, set out as an Effective Date note under section 3001 of this title.

**PROC. NO. 3682. IMPLEMENTATION OF AGREEMENT CONCERNING AUTOMOTIVE PRODUCTS**

Proc. No. 3682, Oct. 21, 1965, 30 F.R. 13683, provided: WHEREAS the United States and Canada on January 16, 1965, entered into an Agreement Concerning Automotive Products, which provides that Canada shall accord duty-free treatment to imports of certain automotive products of the United States and that, after enactment of implementing legislation, the United States shall accord duty-free treatment to certain automotive products of Canada retroactively to the earliest date administratively possible following the date on which the agreement has been implemented by Canada (art. II, 89th Cong. 1st sess., H. Rep. 537, 38);

WHEREAS the agreement of January 16, 1965, was implemented by Canada through the granting of the requisite duty-free treatment to United States products on January 18, 1965;

WHEREAS title II [sections 2011 to 2015 of this title] and IV [amending section 1202 of this title] of the Automotive Products Trade Act of 1965 have been enacted to provide for modifications of the Tariff Schedules of the United States (19 U.S.C. 1202) to implement the agreement of January 16, 1965, such modifications to enter into force in the manner proclaimed by the President (79 Stat. 1016);

WHEREAS sections 201(a) and 203 of the Automotive Products Trade Act of 1965 [subsec. (a) of this section and section 2013 of this title] authorize the President to proclaim the modifications of the Tariff Schedules of the United States provided for in sections 403, 404, and 405 of that Act [amending section 1202 of this title] with retroactive effect as of the earliest date after January