

§ 1352. Equalization of costs of production**(a) Application to importation of articles under foreign-trade agreement**

The provisions of section 1336 of this title shall not apply to any article with respect to the importation of which into the United States a foreign-trade agreement has been concluded pursuant to this part or the Trade Expansion Act of 1962 [19 U.S.C. 1801 et seq.] or the Trade Act of 1974 [19 U.S.C. 2101 et seq.] or to any provision of any such agreement. The third paragraph of section 1311 of this title shall apply to any agreement concluded pursuant to this part or the Trade Expansion Act of 1962 or the Trade Act of 1974 to the extent only that such agreement assures to the United States a rate of duty on wheat flour produced in the United States which is preferential in respect to the lowest rate of duty imposed by the country with which such agreement has been concluded on like flour produced in any other country; and upon the withdrawal of wheat flour from bonded manufacturing warehouses for exportation to the country with which such agreement has been concluded, there shall be levied, collected, and paid on the imported wheat used, a duty equal to the amount of such assured preference.

(b) Termination of foreign trade agreement

Every foreign trade agreement concluded pursuant to this part shall be subject to termination, upon due notice to the foreign government concerned, at the end of not more than three years from the date on which the agreement comes into force, and, if not then terminated, shall be subject to termination thereafter upon not more than six months' notice.

(c) Termination of authority of President

The authority of the President to enter into foreign trade agreements under section 1351 of this title¹ shall terminate on the expiration of three years from June 12, 1934.²

(June 12, 1934, ch. 474, § 2, 48 Stat. 944; June 16, 1951, ch. 141, § 9(a), 65 Stat. 75; Pub. L. 87-794, title II, § 257(d), Oct. 11, 1962, 76 Stat. 882; Pub. L. 93-618, title VI, § 602(a), Jan. 3, 1975, 88 Stat. 2072; Pub. L. 96-39, title XI, § 1106(h)(2), July 26, 1979, 93 Stat. 313.)

REFERENCES IN TEXT

The Trade Expansion Act of 1962, referred to in subsec. (a), is Pub. L. 87-794, Oct. 11, 1962, 76 Stat. 872, as amended, which is classified generally to chapter 7 (§ 1801 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1801 of this title and Tables.

The Trade Act of 1974, referred to in subsec. (a), is Pub. L. 93-618, Jan. 3, 1975, 88 Stat. 1978, as amended, which is classified principally to chapter 12 (§ 2101 et seq.) of this title. For complete classification of this Act to the Code, see References in Text note set out under section 2101 of this title and Tables.

Section 1351 of this title, referred to in subsec. (c), was in the original "section 1 of this Act", meaning section 1 of act June 12, 1934, and was translated as referring to section 350 of act June 17, 1930, which was enacted by section 1 of act June 12, 1934, and is classified to section 1351 of this title.

¹ See References in Text note below.

² See Extension of Presidential Authority notes below.

AMENDMENTS

1979—Subsec. (a). Pub. L. 96-39 amended directory language of Pub. L. 93-618, § 602(a), to correct a typographical error, and did not involve any change in text. See 1975 Amendment note below.

1975—Subsec. (a). Pub. L. 93-618, as amended by Pub. L. 96-39, inserted "or the Trade Act of 1974" after "Act of 1962" in two places.

1962—Subsec. (a). Pub. L. 87-794 inserted "or the Trade Expansion Act of 1962" after "this part" in two places.

1951—Subsec. (a). Act June 16, 1951, substituted "section 1336 of this title" for "sections 1336 and 1516(b) of this title".

EXTENSION OF PRESIDENTIAL AUTHORITY

Extensions of authority of the President to enter into foreign trade agreements under section 350 of the Tariff Act of 1930 (section 1351 of this title) were contained in the following:

Pub. L. 87-794, title II, § 257(c), Oct. 11, 1962, 76 Stat. 882, from close of June 30, 1962, until close of Dec. 31, 1962.

Pub. L. 85-686, § 2, Aug. 20, 1958, 72 Stat. 673, from close of June 30, 1958, until close of June 30, 1962.

Act June 21, 1955, ch. 169, § 2, 69 Stat. 162, from June 12, 1955, until close of June 30, 1958.

Act July 1, 1954, ch. 445, § 1, 68 Stat. 360, until one year from June 12, 1954.

Act Aug. 7, 1953, ch. 348, title I, § 101, 67 Stat. 472, until one year from June 12, 1953.

Act June 16, 1951, ch. 141, § 2, 65 Stat. 72, until two years from June 12, 1951.

Act Sept. 26, 1949, ch. 585, § 3, 63 Stat. 698, until three years from June 12, 1948.

Act June 26, 1948, ch. 678, § 2, 62 Stat. 1053, until close of June 30, 1949; repealed by act Sept. 26, 1949, ch. 585, § 2, 63 Stat. 698.

Act July 5, 1945, ch. 269, § 1, 59 Stat. 410, until three years from June 12, 1945.

Act June 7, 1943, ch. 118, § 1, 57 Stat. 125, until two years from June 12, 1943.

Act Apr. 12, 1940, ch. 96, 54 Stat. 107, until three years from June 12, 1940.

Act Mar. 1, 1937, ch. 22, 50 Stat. 24, until three years from June 12, 1937.

§ 1352a. Repealed. Pub. L. 87-794, title II, § 257(f), Oct. 11, 1962, 76 Stat. 882

Section, acts July 1, 1954, ch. 445, § 2, 68 Stat. 360; June 21, 1955, ch. 169, § 7, 69 Stat. 166; Aug. 20, 1958, Pub. L. 85-686, § 8(a), 72 Stat. 678, related to restriction on decrease of duties, impairment of national security, investigations and reports, and reports to Congress. See section 1801 et seq. of this title.

ACTIONS COMMENCED PRIOR TO OCTOBER 11, 1962

Pub. L. 87-794, title II, § 257(f), Oct. 11, 1962, 76 Stat. 882, provided in part that: "Any action (including any investigation begun) under section 2 [section 1352a of this title] before the date of the enactment of this Act [Oct. 11, 1962] shall be considered as having been taken or begun under section 232 [section 1862 of this title]."

§ 1353. Indebtedness of foreign countries, effect on

Nothing in this part shall be construed to give any authority to cancel or reduce, in any manner, any of the indebtedness of any foreign country to the United States.

(June 12, 1934, ch. 474, § 3, 48 Stat. 944.)

§ 1354. Notice of intention to negotiate agreement; opportunity to be heard; President to seek information and advice

Before any foreign trade agreement is concluded with any foreign government or instru-