

(B) in making that determination, the President has taken into account each of the factors set forth in section 3202(d) of this title; and

(3) remain in effect with respect to Bolivia after June 30, 2009, except that duty-free treatment and other preferential treatment under this chapter shall remain in effect with respect to Bolivia during the period beginning on July 1, 2009, and ending on December 31, 2009, only if the President reviews the criteria set forth in section 3202 of this title, and on or before June 30, 2009, reports to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives pursuant to subsection (b) that—

(A) the President has determined that Bolivia satisfies the requirements set forth in section 3202(c) of this title for being designated as a beneficiary country; and

(B) in making that determination, the President has taken into account each of the factors set forth in section 3202(d) of this title.

#### (b) Reports

On or before June 30, 2009, the President shall make determinations pursuant to subsections (a)(2)(A) and (a)(3)(A) and report to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives on—

- (1) such determinations; and
- (2) the reasons for such determinations.

(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; Pub. L. 109-432, div. D, title VII, §7002, Dec. 20, 2006, 120 Stat. 3194; Pub. L. 110-42, §1, June 30, 2007, 121 Stat. 235; Pub. L. 110-191, §2(a), Feb. 29, 2008, 122 Stat. 646; Pub. L. 110-436, §1(a), Oct. 16, 2008, 122 Stat. 4976; Pub. L. 111-124, §2(a), Dec. 28, 2009, 123 Stat. 3484; Pub. L. 111-344, title II, §201(a), (b), Dec. 29, 2010, 124 Stat. 3616; Pub. L. 112-42, title V, §501(a), Oct. 21, 2011, 125 Stat. 494.)

### Editorial Notes

#### AMENDMENTS

2011—Subsec. (a)(1)(A), (2). Pub. L. 112-42 substituted “July 31, 2013” for “February 12, 2011”.

2010—Subsec. (a)(1). Pub. L. 111-344, §201(a), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “remain in effect with respect to Colombia or Peru after December 31, 2010:”.

Subsec. (a)(2). Pub. L. 111-344, §201(b), substituted “February 12, 2011” for “December 31, 2010” in introductory provisions.

2009—Subsec. (a)(1), (2). Pub. L. 111-124 substituted “December 31, 2010” for “December 31, 2009”.

2008—Pub. L. 110-436 amended section generally. Prior to amendment, text read as follows: “No duty-free treatment or other preferential treatment extended to beneficiary countries under this chapter shall remain in effect after December 31, 2008.”

Pub. L. 110-191 substituted “December 31, 2008” for “February 29, 2008”.

2007—Pub. L. 110-42 struck out subsec. (a) designation and heading at beginning of section, substituted “No” for “Subject to subsection (b), no” and “February 29, 2008” for “June 30, 2007”, and struck out subsec. (b), which provided for certain conditional extensions.

2006—Pub. L. 109-432 designated existing provisions as subsec. (a), inserted heading, substituted “Subject to

subsection (b), no” for “No” and “June 30, 2007” for “December 31, 2006”, and added subsec. (b).

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.

### Statutory Notes and Related Subsidiaries

#### EFFECTIVE DATE OF 2011 AMENDMENT

Amendment by Pub. L. 112-42 applicable to articles entered on or after the 15th day after Oct. 21, 2011, with retroactive application for certain liquidations and reliquidations, see section 501(c) of Pub. L. 112-42, set out in a note under section 3805 of this title.

#### 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. For establishment of U.S. Customs and Border Protection in the Department of Homeland Security, treated as if included in Pub. L. 107-296 as of Nov. 25, 2002, see section 211 of Title 6, as amended generally by Pub. L. 114-125, and section 802(b) of Pub. L. 114-125, set out as a note under section 211 of Title 6.]

### CHAPTER 21—NORTH AMERICAN FREE TRADE

Sec. 3301. Repealed.

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

3311 to 3317. Repealed.

SUBCHAPTER II—CUSTOMS PROVISIONS

3331, 3332. Repealed.

Sec.

3333. Repealed or Transferred.  
3334, 3335. Repealed.

SUBCHAPTER III—APPLICATION OF AGREEMENT  
TO SECTORS AND SERVICES

PART A—SAFEGUARDS

SUBPART 1—RELIEF FROM IMPORTS BENEFITING FROM  
AGREEMENT

3351 to 3358. Repealed.

SUBPART 2—RELIEF FROM IMPORTS FROM ALL COUNTRIES

3371, 3372. Transferred.

SUBPART 3—GENERAL PROVISIONS

3381, 3382. Repealed.

PART B—AGRICULTURE

3391. Repealed.

PART C—TEMPORARY ENTRY OF BUSINESS PERSONS

3401. Transferred.

PART D—STANDARDS

SUBPART 1—STANDARDS AND MEASURES

3411. Repealed.

SUBPART 2—AGRICULTURAL STANDARDS

3421. Repealed.

SUBCHAPTER IV—DISPUTE SETTLEMENT IN  
ANTIDUMPING AND COUNTERVAILING DUTY  
CASES

PART A—ORGANIZATIONAL, ADMINISTRATIVE, AND PRO-  
CEDURAL PROVISIONS REGARDING IMPLEMENTATION OF  
CHAPTER 19 OF AGREEMENT

3431 to 3438. Transferred.

PART B—GENERAL PROVISIONS

3451. Repealed.

SUBCHAPTER V—MISCELLANEOUS PROVISIONS

PART A—PROVISIONS RELATING TO PERFORMANCE  
UNDER AGREEMENT

3461 to 3463. Repealed.

PART B—IMPLEMENTATION OF NAFTA SUPPLEMENTAL  
AGREEMENTS

3471. Repealed.

3472. Agreement on Environmental Cooperation.

3473. Agreement on Border Environment Coopera-  
tion Commission.

**§ 3301. Repealed. Pub. L. 116–113, title VI, § 601,  
Jan. 29, 2020, 134 Stat. 78**

Section, Pub. L. 103–182, § 2, Dec. 8, 1993, 107 Stat. 2060,  
defined terms for the North American Free Trade  
Agreement Implementation Act.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE OF REPEAL OF NORTH AMERICAN FREE  
TRADE AGREEMENT IMPLEMENTATION ACT

Pub. L. 116–113, title VI, § 601, Jan. 29, 2020, 134 Stat.  
78, provided that: “The North American Free Trade  
Agreement Implementation Act (Public Law 103–182; 19  
U.S.C. 3301 et seq.) is repealed, effective on the date on  
which the USMCA enters into force [July 1, 2020].”

[For definition of “USMCA” as used in section 601 of  
Pub. L. 116–113, set out above, see section 4502 of this  
title.]

SHORT TITLE

Pub. L. 103–182, § 1(a), Dec. 8, 1993, 107 Stat. 2057, which  
provided that Pub. L. 103–182 could be cited as the

“North American Free Trade Agreement Implementa-  
tion Act”, was repealed by Pub. L. 116–113, title VI,  
§ 601, Jan. 29, 2020, 134 Stat. 78, effective on the date the  
USMCA entered into force (July 1, 2020).

SUBCHAPTER I—APPROVAL OF, AND GEN-  
ERAL PROVISIONS RELATING TO, NORTH  
AMERICAN FREE TRADE AGREEMENT

**§§ 3311 to 3317. Repealed. Pub. L. 116–113, title  
VI, § 601, Jan. 29, 2020, 134 Stat. 78**

Section 3311, Pub. L. 103–182, title I, § 101, Dec. 8, 1993,  
107 Stat. 2061, related to approval and entry into force  
of the North American Free Trade Agreement.

Section 3312, Pub. L. 103–182, title I, § 102, Dec. 8, 1993,  
107 Stat. 2062; Pub. L. 117–286, § 4(a)(14), Dec. 27, 2022,  
136 Stat. 4321, described the relationship of the Agree-  
ment to United States and State law.

Section 3313, Pub. L. 103–182, title I, § 103, Dec. 8, 1993,  
107 Stat. 2063, related to consultation and layover re-  
quirements for, and effective date of, proclaimed ac-  
tions.

Section 3314, Pub. L. 103–182, title I, § 104, Dec. 8, 1993,  
107 Stat. 2064, related to implementing actions in an-  
ticipation of entry into force and initial regulations.

Section 3315, Pub. L. 103–182, title I, § 105, Dec. 8, 1993,  
107 Stat. 2064; Pub. L. 110–161, div. B, title I, § 107, Dec.  
26, 2007, 121 Stat. 1893, related to establishment of  
United States Section of NAFTA Secretariat.

Section 3316, Pub. L. 103–182, title I, § 106, Dec. 8, 1993,  
107 Stat. 2065, related to appointments to chapter 20  
panel proceedings, with emphasis on individuals having  
expertise in environmental issues.

Section 3317, Pub. L. 103–182, title I, § 108, Dec. 8, 1993,  
107 Stat. 2066, related to congressional intent regarding  
future accessions with respect to countries other than  
Canada and Mexico.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE OF REPEAL

Repeal effective on the date on which the USMCA en-  
tered into force (July 1, 2020), see section 601 of Pub. L.  
116–113, set out as a note under former section 3301 of  
this title.

EFFECTIVE DATE; TERMINATION OF NAFTA STATUS

Pub. L. 103–182, title I, § 109, Dec. 8, 1993, 107 Stat. 2067,  
which provided that title I of Pub. L. 103–182 (except for  
section 107) would take effect on Dec. 8, 1993, and termi-  
nated the effect of sections 101 through 106 of Pub. L.  
103–182 with respect to a country ceasing to be a  
NAFTA country, was repealed by Pub. L. 116–113, title  
VI, § 601, Jan. 29, 2020, 134 Stat. 78, effective on the date  
the USMCA entered into force (July 1, 2020).

**Executive Documents**

NORTH AMERICAN FREE TRADE AGREEMENT: ENTRY  
INTO FORCE

A Presidential Memorandum on the Implementation  
of the North American Free Trade Agreement, dated  
Dec. 27, 1993, directing the Secretary of State to ex-  
change notes with the Government of Canada and the  
Government of Mexico to provide for the entry into  
force of the Agreement on Jan. 1, 1994, is set out in 29  
Weekly Compilation of Presidential Documents 2641,  
Jan. 3, 1994.

EX. ORD. NO. 12889. IMPLEMENTATION OF NORTH  
AMERICAN FREE TRADE AGREEMENT

Ex. Ord. No. 12889, Dec. 27, 1993, 58 F.R. 69681, pro-  
vided:

By the authority vested in me as President by the  
Constitution and the laws of the United States of  
America, including the North American Free Trade  
Agreement Implementation Act (Public Law 103–182,