

- Sec.
2344. Oversight and administration.
2345. Authorization of appropriations.
2345a. Annual report on trade adjustment assistance for firms.
2346, 2347. Repealed.
2348. Protective provisions.
2349. Penalties.
2350. Civil actions.
2351. “Firm” defined.
2352. Regulations.
2353. Repealed.
2354. Study by Secretary of Commerce when International Trade Commission begins investigation.
2355. Assistance to industry; authorization of appropriations.
2356. Repealed.

PART 4—TRADE ADJUSTMENT ASSISTANCE FOR COMMUNITIES

2371. Community College and Career Training Grant Program.
2371a to 2371f. Repealed.
2372. Authorization of appropriations.
2372a. Transferred.
2373 to 2374. Repealed.

PART 5—MISCELLANEOUS PROVISIONS

2391. GAO study and report.
2392. Adjustment Assistance Coordinating Committee.
2393. Trade monitoring and data collection.
2394. Firms relocating in foreign countries.
2395. Judicial review.
2396, 2397. Omitted.
2397a. Sense of Congress.

PART 6—ADJUSTMENT ASSISTANCE FOR FARMERS

2401. Definitions.
2401a. Petitions; group eligibility.
2401b. Determinations by Secretary of Agriculture.
2401c. Study by Secretary of Agriculture when International Trade Commission begins investigation.
2401d. Benefit information to agricultural commodity producers.
2401e. Qualifying requirements and benefits for agricultural commodity producers.
2401f. Fraud and recovery of overpayments.
2401g. Authorization of appropriations.

SUBCHAPTER III—ENFORCEMENT OF UNITED STATES RIGHTS UNDER TRADE AGREEMENTS AND RESPONSE TO CERTAIN FOREIGN TRADE PRACTICES

2411. Actions by United States Trade Representative.
2412. Initiation of investigations.
2413. Consultation upon initiation of investigation.
2414. Determinations by Trade Representative.
2415. Implementation of actions.
2416. Monitoring of foreign compliance.
2417. Modification and termination of actions.
2418. Request for information.
2419. Administration.
2420. Trade enforcement priorities.

SUBCHAPTER IV—TRADE RELATIONS WITH COUNTRIES NOT RECEIVING NONDISCRIMINATORY TREATMENT

PART 1—TRADE RELATIONS WITH CERTAIN COUNTRIES

2431. Exception of products of certain countries or areas.
2432. Freedom of emigration in East-West trade.
2433. United States personnel missing in action in Southeast Asia.
2434. Extension of nondiscriminatory treatment.

- Sec.
2435. Commercial agreements.
2436. Market disruption.
2437. Procedure for Congressional approval or disapproval of extension of nondiscriminatory treatment and Presidential reports.
2438. Payment by Czechoslovakia of amounts owed United States citizens and nationals.
2439. Freedom to emigrate to join a very close relative in United States.
2440, 2441. Repealed.

PART 2—RELIEF FROM MARKET DISRUPTION TO INDUSTRIES AND DIVERSION OF TRADE TO THE UNITED STATES MARKET

2451 to 2451b. Omitted.

SUBCHAPTER V—GENERALIZED SYSTEM OF PREFERENCES

2461. Authority to extend preferences.
2462. Designation of beneficiary developing countries.
2463. Designation of eligible articles.
2464. Review and report to Congress.
2465. Date of termination.
2466. Agricultural exports of beneficiary developing countries.
2466a. Designation of sub-Saharan African countries for certain benefits.
2466b. Termination of benefits for sub-Saharan African countries.
2467. Definitions.

SUBCHAPTER VI—GENERAL PROVISIONS

2481. Definitions.
2482. Exercise of functions of International Trade Commission.
2483. Consequential changes in Tariff Schedules of the United States.
2484. International drug control.
2485. Voluntary limitations on exports of steel to United States.
2486. Trade relations with North American countries.
2487. Repealed.

SUBCHAPTER VII—TARIFF TREATMENT OF PRODUCTS OF, AND OTHER SANCTIONS AGAINST, UNCOOPERATIVE MAJOR DRUG PRODUCING OR DRUG-TRANSIT COUNTRIES

2491. Short title.
2492. Tariff treatment of products of uncooperative major drug producing or drug-transit countries.
2493. Sugar quota.
2494. Progress reports.
2495. Definitions.

SUBCHAPTER VIII—SUPPLEMENTAL AGRICULTURAL DISASTER ASSISTANCE

2497. Supplemental agricultural disaster assistance.
2497a. Agricultural Disaster Relief Trust Fund.
2497b. Jurisdiction.

§ 2101. Short title

This chapter may be cited as the “Trade Act of 1974”.

(Pub. L. 93-618, §1, Jan. 3, 1975, 88 Stat. 1978.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 93-618, which in addition to enacting this chapter enacted section 1863 of this title, amended sections 160, 162, 163, 164, 170a, 1202, 1303, 1315, 1321, 1330, 1332, 1333, 1337, 1352, 1484, 1516, 1806, 1862, 1872, 1885, and 1981 of this title, sections 5312, 5314, 5315, and 5316 of Title 5, Government Organization and Em-

ployees, section 301 of Title 13, Census, section 3302 of Title 26, Internal Revenue Code, sections 2631 and 2632 of Title 28, Judiciary and Judicial Procedure, and section 665 of former Title 31, Money and Finance, repealed sections 1802, 1803, 1804, 1805, 1822, 1831, 1832, 1833, 1841, 1842, 1843, 1844, 1845, 1846, 1861, 1871, 1873, 1882, 1883, 1884, 1886, 1901, 1902, 1911, 1912, 1913, 1914, 1915, 1917, 1931, 1941, 1942, 1943, 1944, 1951, 1952, 1961, 1962, 1963, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, and 1991 of this title, and enacted provisions set out as notes under this section and sections 160, 162, 1303, 1321, 1337, 1484, 1515, 1516, 1901, and 2271 of this title and section 301 of Title 13, Census.

REFERENCES TO OTHER LAWS DEEMED REFERENCES TO
TRADE ACT OF 1974

Pub. L. 93-618, title VI, §602(f), Jan. 3, 1975, 88 Stat. 2072, as amended by Pub. L. 96-39, title XI, §1106(h)(3), July 26, 1979, 93 Stat. 313, provided that: “All provisions of law (other than this Act [this chapter], the Trade Expansion Act of 1962 [chapter 7 of this title], and the Trade Agreements Extension Act of 1951 [see Short Title of 1951 Amendment note set out under section 1654 of this title]), in effect after the date of enactment of this Act [Jan. 3, 1975], referring to section 350 of the Tariff Act of 1930 [section 1351 of this title], to that section as amended, to the Act entitled ‘An Act to amend the Tariff Act of 1930,’ approved June 12, 1934 [enacting sections 1352, 1353, and 1354 and amending section 1351 of this title], to that Act as amended or to the Trade Expansion Act of 1962, or to agreements entered into, or proclamations issued, or actions taken 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 or orders issued pursuant to this Act.”

SHORT TITLE OF 2015 AMENDMENT

Pub. L. 114-27, §1(a), June 29, 2015, 129 Stat. 362, provided that: “This Act [see Tables for classification] may be cited as the ‘Trade Preferences Extension Act of 2015’.”

Pub. L. 114-27, title IV, §401, June 29, 2015, 129 Stat. 373, provided that: “This title [see Tables for classification] may be cited as the ‘Trade Adjustment Assistance Reauthorization Act of 2015’.”

SHORT TITLE OF 2012 AMENDMENT

Pub. L. 112-208, §1(a), Dec. 14, 2012, 126 Stat. 1496, provided that: “This Act [amending section 2241 of this title and enacting provisions set out as notes under section 2434 of this title and section 5811 of Title 22, Foreign Relations and Intercourse] may be cited as the ‘Russia and Moldova Jackson-Vanik Repeal and Sergei Magnitsky Rule of Law Accountability Act of 2012’.”

SHORT TITLE OF 2011 AMENDMENT

Pub. L. 112-40, title II, §200(a), Oct. 21, 2011, 125 Stat. 402, provided that: “This title [see Tables for classification] may be cited as the ‘Trade Adjustment Assistance Extension Act of 2011’.”

SHORT TITLE OF 2010 AMENDMENT

Pub. L. 111-344, §1(a), Dec. 29, 2010, 124 Stat. 3611, provided that: “This Act [amending sections 58c, 2296, 2317, 2318, 2345, 2371d to 2371f, 2372, 2373, 2373a, 2401g, 3202, 3203, and 3206 of this title, sections 35, 4980B, 7527, and 9801 of Title 26, Internal Revenue Code, sections 1162, 1181, and 2918 of Title 29, Labor, and sections 300bb-2 and 300gg of Title 42, The Public Health and Welfare, enacting provisions set out as a note preceding section 2271 of this title and notes under sections 35, 4980B, 6655, 7527, and 9801 of Title 26, and amending provisions set out as notes preceding section 2271 of this title] may be cited as the ‘Omnibus Trade Act of 2010’.”

SHORT TITLE OF 2009 AMENDMENT

Pub. L. 111-5, div. B, title I, §1800, Feb. 17, 2009, 123 Stat. 367, provided that: “This subtitle [subtitle I

(§§1800-1899L) of title I of div. B of Pub. L. 111-5, enacting part 4 (§2371 et seq.) of subchapter II of this chapter and sections 2295a, 2322, 2323, 2344, 2345, 2356, and 2397a of this title, amending sections 2271 to 2275, 2291 to 2295, 2296 to 2298, 2311, 2315 to 2321, 2341, 2343, 2348 to 2352, 2354, 2355, 2393, 2395, 2401 to 2401b, and 2401e to 2401g of this title, sections 35, 4980B, 7527, and 9801 of Title 26, Internal Revenue Code, section 1581 of Title 28, Judiciary and Judicial Procedure, sections 1162, 1181, 2918, and 2919 of Title 29, Labor, and sections 300bb-2 and 300gg of Title 42, The Public Health and Welfare, repealing former sections 2344 to 2347 of this title, enacting provisions set out as notes preceding section 2271 and under sections 2271, 2295a, 2296, 2323, 2344, 2371, and 2393 of this title and sections 1, 35, 4980B, 7527, and 9801 of Title 26, and amending provisions set out as a note preceding section 2271 of this title] may be cited as the ‘Trade and Globalization Adjustment Assistance Act of 2009’.”

SHORT TITLE OF 2002 AMENDMENT

Pub. L. 107-210, div. A, §101, Aug. 6, 2002, 116 Stat. 935, provided that: “This division [enacting part 6 of subchapter II of this chapter, sections 1431a, 1583, and 2318 of this title, sections 35, 6050T, and 7527 of Title 26, Internal Revenue Code, and section 300gg-45 of Title 42, The Public Health and Welfare, amending sections 58c, 482, 1318, 1330, 1411, 1505, 1509, 2075, 2171, 2271 to 2273, 2275, 2291, 2293, 2295 to 2298, 2317, 2346, and 2395 of this title, sections 4980B, 6103, 6724, and 7213A of Title 26, sections 1165, 2862, 2918, and 2919 of Title 29, Labor, section 1324 of Title 31, Money and Finance, and section 300bb-5 of Title 42, renumbering section 35 of Title 26 as section 36 of Title 26, repealing sections 2318, 2322, and 2331 of this title, enacting provisions set out as notes preceding section 2271 and under sections 58c, 482, 1583, 1625, 1654, 2071, 2075, 2082, 2251, 2271, 2331, and 2401 of this title, sections 35 and 6050T of Title 26, and section 2918 of Title 29, and amending provisions set out as a note preceding section 2271 of this title] may be cited as the ‘Trade Adjustment Assistance Reform Act of 2002’.”

SHORT TITLE OF 1996 AMENDMENT

Pub. L. 104-188, title I, §1951, Aug. 20, 1996, 110 Stat. 1917, provided that: “This subtitle [subtitle J (§§1951-1954) of title I of Pub. L. 104-188, enacting sections 2461 to 2467 of this title, amending sections 2702, 3011, 3202, 3331, and 3551 of this title, section 1444-2 of Title 7, Agriculture, section 4711 of Title 15, Commerce and Trade, sections 262p-4p and 2191a of Title 22, Foreign Relations and Intercourse, and section 871 of Title 26, Internal Revenue Code, and enacting provisions set out as a note under section 2461 of this title] may be cited as the ‘GSP Renewal Act of 1996’.”

SHORT TITLE OF 1993 AMENDMENT

Pub. L. 103-182, title V, §501, Dec. 8, 1993, 107 Stat. 2149, provided that: “This subtitle [subtitle A (§§501-507) of title V of Pub. L. 103-182, enacting sections 2322 and 2331 of this title, amending sections 2271 to 2273, 2275, 2317, and 2395 of this title, sections 3304 and 3306 of Title 26, Internal Revenue Code, and section 503 of Title 42, The Public Health and Welfare, enacting provisions set out as notes under section 2331 of this title and section 3306 of Title 26, and amending provisions set out as a note preceding section 2271 of this title] may be cited as the ‘NAFTA Worker Security Act’.”

SHORT TITLE OF 1990 AMENDMENT

Pub. L. 101-382, §1(a), Aug. 20, 1990, 104 Stat. 629, provided that: “This Act [see Tables for classification] may be cited as the ‘Customs and Trade Act of 1990’.”

SHORT TITLE OF 1989 AMENDMENT

Pub. L. 101-221, §1, Dec. 12, 1989, 103 Stat. 1886, provided that: “This Act [amending section 4611 of Title 26, Internal Revenue Code, enacting provisions set out as notes under sections 2253 and 2703 of this title and section 4611 of Title 26, and amending provisions set out

as notes under sections 2253 and 2703 of this title] may be cited as the ‘Steel Trade Liberalization Program Implementation Act.’”

SHORT TITLE OF 1986 AMENDMENT

Pub. L. 99-272, title XIII, § 13001, Apr. 7, 1986, 100 Stat. 300, provided that: “This part [part 1 (§§ 13001-13009) of subtitle A, amending sections 2271, 2272, 2291 to 2293, 2296, 2297, 2311, 2317, 2319, 2341 to 2344, and 2346 of this title, enacting provisions set out as a note under section 2291 of this title, and amending provisions set out as a note preceding section 2271 of this title] may be cited as the ‘Trade Adjustment Assistance Reform and Extension Act of 1986.’”

SHORT TITLE OF 1984 AMENDMENT

Pub. L. 98-573, title III, § 301(a), Oct. 30, 1984, 98 Stat. 3000, provided that: “This title [enacting sections 2114a to 2114e, 2138, and 2241 of this title, amending sections 2112, 2114, 2155, 2171, and 2411 to 2415 of this title and sections 3101 to 3104 of Title 22, Foreign Relations and Intercourse, and enacting provisions set out as notes under section 2102 of this title and section 3101 of Title 22] may be cited as the ‘International Trade and Investment Act.’”

Pub. L. 98-573, title V, § 501(a), Oct. 30, 1984, 98 Stat. 3018, provided that: “This title [enacting section 2466 of this title, amending sections 2461 to 2465 of this title, and enacting provisions set out as notes under section 2461 of this title] may be cited as the ‘Generalized System of Preferences Renewal Act of 1984.’”

SEPARABILITY

Pub. L. 93-618, title VI, § 605, Jan. 3, 1975, 88 Stat. 2073, provided that: “If any provision of this Act [see References in Text note above], or the application of any provision to any circumstances or persons shall be held invalid, the validity of the remainder of this Act, and of the application of such provision to other circumstances or persons, shall not be affected thereby.”

§ 2102. Congressional statement of purpose

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

(1) to foster the economic growth of and full employment in the United States and to strengthen economic relations between the United States and foreign countries through open and nondiscriminatory world trade;

(2) to harmonize, reduce, and eliminate barriers to trade on a basis which assures substantially equivalent competitive opportunities for the commerce of the United States;

(3) to establish fairness and equity in international trading relations, including reform of the General Agreement on Tariffs and Trade;

(4) to provide adequate procedures to safeguard American industry and labor against unfair or injurious import competition, and to assist industries, firm,¹ workers, and communities to adjust to changes in international trade flows;

(5) to open up market opportunities for United States commerce in nonmarket economies; and

(6) to provide fair and reasonable access to products of less developed countries in the United States market.

(Pub. L. 93-618, § 2, Jan. 3, 1975, 88 Stat. 1981.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 93-618, Jan. 3, 1975, 88 Stat.

¹ So in original.

1978, as amended, which is classified principally to this chapter. For complete classification of this Act to the Code, see References in Text note set out under section 2101 of this title and Tables.

STATEMENT OF PURPOSES OF 1984 AMENDMENT

Pub. L. 98-573, title III, § 302, Oct. 30, 1984, 98 Stat. 3000, provided that: “The purposes of this title [see Short Title of 1984 Amendment note set out under section 2101 of this title] are—

“(1) to foster the economic growth of, and full employment in, the United States by expanding competitive United States exports through the achievement of commercial opportunities in foreign markets substantially equivalent to those accorded by the United States;

“(2) to improve the ability of the President—

“(A) to identify and to analyze barriers to (and restrictions on) United States trade and investment, and

“(B) to achieve the elimination of such barriers and restrictions;

“(3) to encourage the expansion of—

“(A) international trade in services through the negotiation of agreements (both bilateral and multilateral) which reduce or eliminate barriers to international trade in services, and

“(B) United States service industries in foreign commerce; and

“(4) to enhance the free flow of foreign direct investment through the negotiation of agreements (both bilateral and multilateral) which reduce or eliminate the trade distortive effects of certain investment-related measures.”

SUBCHAPTER I—NEGOTIATING AND OTHER AUTHORITY

PART 1—RATES OF DUTY AND OTHER TRADE BARRIERS

§ 2111. Basic authority for trade agreements

(a) Presidential authority to enter into agreement; modification or continuance of existing duties

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 the purposes of this chapter will be promoted thereby, the President—

(1) during the 5-year period beginning on January 3, 1975, may enter into trade agreements with foreign countries or instrumentalities thereof; and

(2) may proclaim such modification or continuance of any existing duty, such continuance of existing duty-free or excise treatment, or such additional duties, as he determines to be required or appropriate to carry out any such trade agreement.

(b) Limitation on authority to decrease duty

(1) Except as provided in paragraph (2), no proclamation pursuant to subsection (a)(2) shall be made decreasing a rate of duty to a rate below 40 percent of the rate existing on January 1, 1975.

(2) Paragraph (1) shall not apply in the case of any article for which the rate of duty existing on January 1, 1975, is not more than 5 percent ad valorem.

(c) Limitation on authority to increase duty

No proclamation shall be made pursuant to subsection (a)(2) increasing any rate of duty to,