

stituted “subheading 9802.00.60 or subheading 9802.00.80 of the Harmonized Tariff Schedule of the United States” for “item 806.30 or item 807.00”.

1984—Subsec. (c)(1). Pub. L. 98-573, §248(a)(1), substituted provision that the action recommended by the Commission shall take effect upon enactment of a joint resolution described in section 2192(a)(1)(A) of this title for provision that the action recommended by the Commission would take effect upon the adoption by both Houses of Congress, by an affirmative vote of a majority of the Members of each House present and voting under the procedures set forth in section 2192 of this title, of a concurrent resolution disapproving the action taken by the President or his determination not to provide import relief under section 2252(a)(1)(A) of this title.

Subsec. (c)(2). Pub. L. 98-573, §248(a)(2), substituted “enactment of the joint resolution referred to in paragraph (1)” for “adoption of such resolution” and “section 2251(d)” for “section 2251(b)”.

1979—Subsec. (a)(4). Pub. L. 96-39, §1106(d)(1), substituted “negotiate, conclude, and carry out” for “negotiate”.

Subsec. (b)(1). Pub. L. 96-39, §1106(d)(2)(A), (B), substituted “On the day the President determines under section 2252 of this title to provide import relief, including announcement of his intention to negotiate an orderly marketing agreement” for “On the day on which the President proclaims import relief under this section or announces his intention to negotiate one or more orderly marketing agreements” and section “2251(d)(1)(A)” for “2251(b)(1)(A)” of this title.

Subsec. (b)(3). Pub. L. 96-39, §1106(d)(2)(C), added par. (3).

Subsec. (c)(1). Pub. L. 96-39, §1106(d)(3)(A), (B), substituted “section 2251(d)(1)(A)” for “section 2251(b)(1)(A)” of this title and inserted “under the procedures set forth in section 2192 of this title” after “voting”.

Subsec. (e)(3). Pub. L. 96-39, §1106(d)(4), substituted “subsection (a) of this section” for “subsection (a)(1), (2), (3), or (5) of this section”.

Subsec. (g)(1). Pub. L. 96-39, §1106(d)(5)(A), (B), struck out “quantitative” before “restriction” and substituted “pursuant to this section” for “pursuant to subsection (a)(3) or (c) of this section”.

Subsec. (g)(2). Pub. L. 96-39, §1106(d)(6), inserted references to subsec. (e)(3) of this section.

Subsec. (h)(3). Pub. L. 96-39, §1106(d)(7)(A), (B), inserted reference to subsec. (i)(3) of this section and substituted “one period of not more than 3 years” for “one 3-year period”.

Subsec. (h)(4). Pub. L. 96-39, §1106(d)(7)(A), inserted reference to subsec. (i)(3) of this section.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-465 effective on the date on which the WTO Agreement enters into force with respect to the United States (Jan. 1, 1995), see section 304(a) of Pub. L. 103-465, set out as a note under section 2252 of this title.

EFFECTIVE DATE OF 1988 AMENDMENTS

Amendment by Pub. L. 100-647 applicable as if such amendment took effect on Aug. 23, 1988, see section 9001(b) of Pub. L. 100-647, set out as an Effective and Termination Dates of 1988 Amendments note under section 58c of this title.

Amendment by section 1214(j)(2) of 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.

Amendment by section 1401a of Pub. L. 100-418 effective Aug. 23, 1988, and applicable with respect to investigations initiated under this part on or after that date, see section 1401(c) of Pub. L. 100-418, set out as a note under section 2251 of this title.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-573 effective on 15th day after Oct. 30, 1984, see section 214(a), (b) of Pub. L. 98-573, set out as a note under section 1304 of this title.

EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-39 effective July 26, 1979, see section 1114 of Pub. L. 96-39, set out as an Effective Date note under section 2581 of this title.

STEEL IMPORT STABILIZATION

Title VIII of Pub. L. 98-573, as amended by Pub. L. 100-418, title I, §1322, Aug. 23, 1988, 102 Stat. 1195; Pub. L. 101-221, §§2, 3(a), 4-6(a), Dec. 12, 1989, 103 Stat. 1886-1889, known as the Steel Import Stabilization Act, endorsed principles and goals of steel trade liberalization program as announced by the President on July 25, 1989, and provided for its implementation, granted specific enforcement powers to President to carry out terms and conditions of bilateral arrangements entered into for purposes of implementing that program, made continuation of those powers subject to condition that steel industry continue to modernize its plant and equipment and provide for appropriate worker retraining, directed Secretary of Labor to prepare and submit to Congress plan of action for assisting workers in communities adversely affected by imports of steel products, and provided that section 805 which provided enforcement authority for President would terminate Mar. 31, 1992.

LIMITATION ON MEAT IMPORTS

Pub. L. 88-482, §2, Aug. 22, 1964, 78 Stat. 594, as amended by Pub. L. 96-177, Dec. 31, 1979, 93 Stat. 1291; Pub. L. 100-418, title I, §1214(u), Aug. 23, 1988, 102 Stat. 1162; Pub. L. 100-449, title III, §301(b), Sept. 28, 1988, 102 Stat. 1867; Pub. L. 103-182, title III, §321(a), Dec. 8, 1993, 107 Stat. 2108, provided that this section was to be cited as the “Meat Import Act of 1979”, defined terms for purposes of this section, limited with exception the aggregate quantity of meat articles which could enter the country in any calendar year after 1979, provided for adjustment of aggregate quantity for calendar years after 1979, required Secretary of Agriculture to estimate and publish yearly aggregate quantity, authorized President to increase or limit by proclamation the total quantity of meat articles entering this country under certain circumstances, and provided for suspension of such proclamations after providing notice in Federal Register and opportunity to comment, prior to repeal by Pub. L. 103-465, title IV, §403, Dec. 8, 1994, 108 Stat. 4959, effective on the date of entry into force of the WTO Agreement with respect to the United States (Jan. 1, 1995).

§ 2254. Monitoring, modification, and termination of action

(a) Monitoring

(1) So long as any action taken under section 2253 of this title remains in effect, the Commission shall monitor developments with respect to the domestic industry, including the progress and specific efforts made by workers and firms in the domestic industry to make a positive adjustment to import competition.

(2) If the initial period during which the action taken under section 2253 of this title is in effect exceeds 3 years, or if an extension of such action exceeds 3 years, the Commission shall submit a report on the results of the monitoring under paragraph (1) to the President and to the Congress not later than the date that is the midpoint of the initial period, and of each such extension, during which the action is in effect.

(3) In the course of preparing each report under paragraph (2), the Commission shall hold

a hearing at which interested persons shall be given a reasonable opportunity to be present, to produce evidence, and to be heard.

(4) Upon request of the President, the Commission shall advise the President of its judgment as to the probable economic effect on the industry concerned of any reduction, modification, or termination of the action taken under section 2253 of this title which is under consideration.

(b) Reduction, modification, and termination of action

(1) Action taken under section 2253 of this title may be reduced, modified, or terminated by the President (but not before the President receives the report required under subsection (a)(2)(A)) if the President—

(A) after taking into account any report or advice submitted by the Commission under subsection (a) and after seeking the advice of the Secretary of Commerce and the Secretary of Labor, determines, on the basis that either—

(i) the domestic industry has not made adequate efforts to make a positive adjustment to import competition, or

(ii) the effectiveness of the action taken under section 2253 of this title has been impaired by changed economic circumstances,

that changed circumstances warrant such reduction, or termination; or

(B) determines, after a majority of the representatives of the domestic industry submits to the President a petition requesting such reduction, modification, or termination on such basis, that the domestic industry has made a positive adjustment to import competition.

(2) Notwithstanding paragraph (1), the President is authorized to take such additional action under section 2253 of this title as may be necessary to eliminate any circumvention of any action previously taken under such section.

(3) Notwithstanding paragraph (1), the President may, after receipt of a Commission determination under section 3538(a)(4) of this title and consulting with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, reduce, modify, or terminate action taken under section 2253 of this title.

(c) Extension of action

(1) Upon request of the President, or upon petition on behalf of the industry concerned filed with the Commission not earlier than the date which is 9 months, and not later than the date which is 6 months, before the date any action taken under section 2253 of this title is to terminate, the Commission shall investigate to determine whether action under section 2253 of this title continues to be necessary to prevent or remedy serious injury and whether there is evidence that the industry is making a positive adjustment to import competition.

(2) The Commission shall publish notice of the commencement of any proceeding under this subsection in the Federal Register and shall, within a reasonable time thereafter, hold a public hearing at which the Commission shall afford interested parties and consumers an opportunity to be present, to present evidence, and to re-

spond to the presentations of other parties and consumers, and otherwise to be heard.

(3) The Commission shall transmit to the President a report on its investigation and determination under this subsection not later than 60 days before the action under section 2253 of this title is to terminate, unless the President specifies a different date.

(d) Evaluation of effectiveness of action

(1) After any action taken under section 2253 of this title has terminated, the Commission shall evaluate the effectiveness of the actions in facilitating positive adjustment by the domestic industry to import competition, consistent with the reasons set out by the President in the report submitted to the Congress under section 2253(b) of this title.

(2) During the course of the evaluation conducted under paragraph (1), the Commission shall, after reasonable public notice, hold a hearing on the effectiveness of the action. All interested persons shall have the opportunity to attend such hearing and to present evidence or testimony at such hearing.

(3) A report on the evaluation made under paragraph (1) and the hearings held under paragraph (2) shall be submitted by the Commission to the President and to the Congress by no later than the 180th day after the day on which the actions taken under section 2253 of this title terminated.

(e) Other provisions

(1) Action by the President under this part may be taken without regard to the provisions of section 2136(a) of this title but only after consideration of the relation of such actions to the international obligations of the United States.

(2) If the Commission treats as the domestic industry production located in a major geographic area of the United States under section 2252(c)(4)(C) of this title, then the President shall take into account the geographic concentration of domestic production and of imports in that area in taking any action authorized under paragraph (1).

(Pub. L. 93-618, title II, § 204, as added Pub. L. 100-418, title I, § 1401(a), Aug. 23, 1988, 102 Stat. 1238; amended Pub. L. 100-647, title IX, § 9001(a)(8), Nov. 10, 1988, 102 Stat. 3807; Pub. L. 103-465, title I, § 129(a)(7), title III, § 302(c), (d), Dec. 8, 1994, 108 Stat. 4837, 4936.)

Editorial Notes

AMENDMENTS

1994—Subsec. (a)(2). Pub. L. 103-465, § 302(c)(1), amended par. (2) generally. Prior to amendment, par. (2) read as follows: “The Commission shall submit a report on the results of the monitoring under paragraph (1) to the President and to the Congress not later than—

“(A) the 2nd-anniversary of the day on which the action under section 2253 of this title first took effect; and

“(B) the last day of each 2-year period occurring after the 2-year period referred to in subparagraph (A).”

Subsec. (a)(4). Pub. L. 103-465, § 302(c)(2), struck out “extension,” before “reduction.”

Subsec. (b)(3). Pub. L. 103-465, § 129(a)(7), added par. (3).

Subsecs. (c) to (e). Pub. L. 103-465, § 302(d), added subsec. (c) and redesignated former subsecs. (c) and (d) as (d) and (e), respectively.

1988—Subsecs. (c) to (e). Pub. L. 100-647 redesignated subsecs. (d) and (e) as (c) and (d), respectively.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by section 129(a)(7) of Pub. L. 103-465 effective on the date on which the WTO Agreement enters into force with respect to the United States (Jan. 1, 1995), see section 130 of Pub. L. 103-465, set out as an Effective Date note under section 3531 of this title.

Amendment by section 302(c), (d) of Pub. L. 103-465 effective on the date on which the WTO Agreement enters into force with respect to the United States [Jan. 1, 1995], see section 304(a) of Pub. L. 103-465, set out as a note under section 2252 of this title.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-647 applicable as if such amendment took effect on Aug. 23, 1988, see section 9001(b) of Pub. L. 100-647, set out as an Effective and Termination Dates of 1988 Amendments note under section 58c of this title.

EFFECTIVE DATE

Section effective Aug. 23, 1988, and applicable with respect to investigations initiated under this part on or after that date, see section 1401(c) of Pub. L. 100-418, set out as an Effective Date of 1988 Amendment note under section 2251 of this title.

§ 2255. Trade monitoring

(a) Monitoring tool for imports

(1) In general

Not later than 180 days after February 24, 2016, the Commission shall make available on a website of the Commission an import monitoring tool to allow the public access to data on the volume and value of goods imported to the United States for the purpose of assessing whether such data has changed with respect to such goods over a period of time.

(2) Data described

For purposes of the monitoring tool under paragraph (1), the Commission shall use data compiled by the Department of Commerce and such other government data as the Commission considers appropriate.

(3) Periods of time

The Commission shall ensure that data accessed through the monitoring tool under paragraph (1) includes data for the most recent quarter for which such data are available and previous quarters as the Commission considers practicable.

(b) Monitoring reports

(1) In general

Not later than 270 days after February 24, 2016, and not less frequently than quarterly thereafter, the Secretary of Commerce shall publish on a website of the Department of Commerce, and notify the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives of the availability of, a monitoring report on changes in the volume and value of trade with respect to imports and exports of goods categorized based on the 6-digit subheading number of the goods under the Harmonized Tariff Schedule of the United States

during the most recent quarter for which such data are available and previous quarters as the Secretary considers practicable.

(2) Requests for comment

Not later than one year after February 24, 2016, the Secretary of Commerce shall solicit through the Federal Register public comment on the monitoring reports described in paragraph (1).

(c) Sunset

The requirements under this section terminate on the date that is seven years after February 24, 2016.

(Pub. L. 93-618, title II, §205, as added Pub. L. 114-125, title VI, §603(a), Feb. 24, 2016, 130 Stat. 185.)

Editorial Notes

REFERENCES IN TEXT

The Harmonized Tariff Schedule of the United States, referred to in subsec. (b)(1), is not set out in the Code. See Publication of Harmonized Tariff Schedule note set out under section 1202 of this title.

PART 2—ADJUSTMENT ASSISTANCE FOR WORKERS

Statutory Notes and Related Subsidiaries

EFFECTIVE AND TERMINATION DATES OF 2015 REVIVAL

Pub. L. 114-27, title IV, §402(b), (c), June 29, 2015, 129 Stat. 374, provided that:

“(b) APPLICABILITY OF CERTAIN PROVISIONS.—Except as otherwise provided in this title [see Tables for classification], the provisions of chapters 2 through 6 of title II of the Trade Act of 1974 [this part, parts 3 to 6 of this subchapter, and provisions set out as a note below], as in effect on December 31, 2013, and as amended by this title, shall—

“(1) take effect on the date of the enactment of this Act [June 29, 2015]; and

“(2) apply to petitions for certification filed under chapter 2, 3, or 6 of title II of the Trade Act of 1974 [this part and parts 3 and 6 of this subchapter] on or after such date of enactment.

“(c) REFERENCES.—Except as otherwise provided in this title, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision of chapters 2 through 6 of title II of the Trade Act of 1974, the reference shall be considered to be made to a provision of any such chapter, as in effect on December 31, 2013.”

Pub. L. 114-27, title IV, §406, June 29, 2015, 129 Stat. 379, provided that:

“(a) APPLICATION OF PRIOR LAW.—Subject to subsection (b), beginning on July 1, 2021, the provisions of chapters 2, 3, 5, and 6 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.) [this part, parts 3, 5, and 6 of this subchapter, and provisions set out as a note below], as in effect on January 1, 2014, shall be in effect and apply, except that in applying and administering such chapters—

“(1) paragraph (1) of section 231(c) of that Act [19 U.S.C. 2291(c)(1)] shall be applied and administered as if subparagraphs (A), (B), and (C) of that paragraph were not in effect;

“(2) section 233 of that Act [19 U.S.C. 2293] shall be applied and administered—

“(A) in subsection (a)—

“(i) in paragraph (2), by substituting ‘104-week period’ for ‘104-week period’ and all that follows through ‘130-week period’; and

“(ii) in paragraph (3)—

“(I) in the matter preceding subparagraph (A), by substituting ‘65’ for ‘52’; and