

Determination No. 90-21, May 24, 1990, 55 F.R. 23183.—People's Republic of China.

Determination No. 90-22, June 3, 1990, 55 F.R. 42831.—Czech and Slovak Federal Republic.

Determination No. 90-30, Aug. 15, 1990, 55 F.R. 35421.—German Democratic Republic.

Determination No. 91-11, Dec. 29, 1990, 56 F.R. 1561.—Soviet Union.

Determination No. 91-18, Jan. 22, 1991, 56 F.R. 4169.—Bulgaria.

Determination No. 91-19, Jan. 23, 1991, 56 F.R. 4171.—Mongolia.

Determination No. 91-36, May 29, 1991, 56 F.R. 26757.—People's Republic of China.

Determination No. 91-39, June 3, 1991, 56 F.R. 27187.—Republic of Bulgaria, Czech and Slovak Federal Republic, Soviet Union, and Mongolian People's Republic.

Determination No. 91-48, Aug. 17, 1991, 56 F.R. 43861.—Romania.

Determination No. 92-3, Oct. 16, 1991, 56 F.R. 55203.—Czech and Slovak Federal Republic.

Determination No. 92-20, Apr. 3, 1992, 57 F.R. 13623.—Armenia, Belarus, Kyrgyzstan, and Russia.

Determination No. 92-25, May 6, 1992, 57 F.R. 22147.—Azerbaijan, Georgia, Kazakhstan, Moldova, Ukraine, and Uzbekistan.

Determination No. 92-26, May 20, 1992, 57 F.R. 48711.—Albania.

Determination No. 92-29, June 2, 1992, 57 F.R. 24539.—People's Republic of China.

Determination No. 92-30, June 3, 1992, 57 F.R. 24929.—Albania, Armenia, Azerbaijan, Bulgaria, Byelorussia, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Mongolia, Romania, Russia, Ukraine, and Uzbekistan.

Determination No. 92-31, June 3, 1992, 57 F.R. 24931.—Tajikistan and Turkmenistan.

Determination No. 93-23, May 28, 1993, 58 F.R. 31329.—People's Republic of China.

Determination No. 93-25, June 2, 1993, 58 F.R. 33005.—Albania, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Mongolia, Romania, Russia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan.

Determination No. 94-26, June 2, 1994, 59 F.R. 31103.—People's Republic of China.

Determination No. 94-27, June 2, 1994, 59 F.R. 31105.—Albania, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Mongolia, Romania, Russia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan.

Determination No. 95-23, June 2, 1995, 60 F.R. 31047.—People's Republic of China.

Determination No. 95-24, June 2, 1995, 60 F.R. 31049.—Albania, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Mongolia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan.

Determination No. 96-29, May 31, 1996, 61 F.R. 29455.—People's Republic of China.

Determination No. 96-30, June 3, 1996, 61 F.R. 29457.—Albania, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Mongolia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan.

Determination No. 97-25, May 29, 1997, 62 F.R. 31313.—People's Republic of China.

Determination No. 97-28, June 3, 1997, 62 F.R. 32019.—Albania, Belarus, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan.

Determination No. 98-17, Mar. 9, 1998, 63 F.R. 14329.—Vietnam.

Determination No. 98-26, June 3, 1998, 63 F.R. 32705.—People's Republic of China.

Determination No. 98-27, June 3, 1998, 63 F.R. 32707.—Vietnam.

Determination No. 98-28, June 3, 1998, 63 F.R. 32709.—Republic of Belarus.

Determination No. 99-26, June 3, 1999, 64 F.R. 31109.—Republic of Belarus.

Determination No. 99-27, June 3, 1999, 64 F.R. 31111.—Vietnam.

Determination No. 99-28, June 3, 1999, 64 F.R. 31113.—People's Republic of China.

Determination No. 2000-21, June 2, 2000, 65 F.R. 36309.—Vietnam.

Determination No. 2000-22, June 2, 2000, 65 F.R. 36311.—Republic of Belarus.

Determination No. 2000-23, June 2, 2000, 65 F.R. 36313.—People's Republic of China.

Determination No. 2001-16, June 1, 2001, 66 F.R. 30631.—People's Republic of China.

Determination No. 2001-17, June 1, 2001, 66 F.R. 30633.—Vietnam.

Determination No. 2001-20, July 2, 2001, 66 F.R. 37109.—Republic of Belarus.

Determination No. 02-21, June 3, 2002, 67 F.R. 40833.—Republic of Belarus.

Determination No. 02-22, June 3, 2002, 67 F.R. 40835.—Vietnam.

Determination No. 2003-24, May 29, 2003, 68 F.R. 35525.—Vietnam.

Determination No. 2003-25, May 29, 2003, 68 F.R. 35527.—Republic of Belarus.

Determination No. 2003-31, Aug. 8, 2003, 68 F.R. 49325.—Turkmenistan.

Determination No. 2004-32, June 3, 2004, 69 F.R. 32429.—Turkmenistan.

Determination No. 2004-33, June 3, 2004, 69 F.R. 32431.—Republic of Belarus.

Determination No. 2004-34, June 3, 2004, 69 F.R. 32433.—Vietnam.

Determination No. 2007-24, June 28, 2007, 72 F.R. 37421.—Turkmenistan.

Determination No. 2009-22, July 1, 2009, 74 F.R. 32785.—Republic of Belarus.

§ 2433. United States personnel missing in action in Southeast Asia

(a) Penalty for noncooperating countries

Notwithstanding any other provision of law, if the President determines that a nonmarket economy country is not cooperating with the United States—

(1) to achieve a complete accounting of all United States military and civilian personnel who are missing in action in Southeast Asia,

(2) to repatriate such personnel who are alive, and

(3) to return the remains of such personnel who are dead to the United States,

then, during the period beginning with the date of such determination and ending on the date on which the President determines such country is cooperating with the United States, he may provide that—

(A) the products of such country may not receive nondiscriminatory treatment,

(B) such country may not participate, directly or indirectly, in any program under which the United States extends credit, credit guarantees, or investment guarantees, and

(C) no commercial agreement entered into under this subchapter between such country and the United States will take effect.

(b) Exception

This section shall not apply to any country the products of which are eligible for the rates set forth in rate column numbered 1 of the Tariff Schedules of the United States on January 3, 1975.

(Pub. L. 93-618, title IV, § 403, Jan. 3, 1975, 88 Stat. 2060.)

Editorial Notes

REFERENCES IN TEXT

The Tariff Schedules of the United States, referred to in subsec. (b), to be treated as a reference to the Har-

monized Tariff Schedule, pursuant to section 3012 of this title. The Harmonized Tariff Schedule is not set out in the Code. See Publication of Harmonized Tariff Schedule note set out under section 1202 of this title.

§ 2434. Extension of nondiscriminatory treatment

(a) Presidential proclamation

Subject to the provisions of section 2435(c) of this title, the President may by proclamation extend nondiscriminatory treatment to the products of a foreign country which has entered into a bilateral commercial agreement referred to in section 2435 of this title.

(b) Limitation on period of effectiveness

The application of nondiscriminatory treatment shall be limited to the period of effectiveness of the obligations of the United States to such country under such bilateral commercial agreement. In addition, in the case of any foreign country receiving nondiscriminatory treatment pursuant to this subchapter which has entered into an agreement with the United States regarding the settlement of lendlease reciprocal aid and claims, the application of such nondiscriminatory treatment shall be limited to periods during which such country is not in arrears on its obligations under such agreement.

(c) Suspension or withdrawal of extensions of nondiscriminatory treatment

The President may at any time suspend or withdraw any extension of nondiscriminatory treatment to any country pursuant to subsection (a) and thereby cause all products of such country to be dutiable at the rates set forth in rate column numbered 2 of the Harmonized Tariff Schedule of the United States.

(Pub. L. 93-618, title IV, §404, Jan. 3, 1975, 88 Stat. 2060; Pub. L. 96-39, title XI, §1106(f)(2), July 26, 1979, 93 Stat. 312; Pub. L. 100-418, title I, §1214(j)(3), Aug. 23, 1988, 102 Stat. 1158.)

Editorial Notes

REFERENCES IN TEXT

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

AMENDMENTS

1988—Subsec. (c). Pub. L. 100-418 substituted “Harmonized Tariff Schedule of the United States” for “Tariff Schedules for the United States”.

1979—Subsec. (c). Pub. L. 96-39 struck out the comma after “subsection (a)”.

Statutory Notes and Related Subsidiaries

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.

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.

SUSPENDING NORMAL TRADE RELATIONS WITH RUSSIA AND BELARUS

Pub. L. 117-110, §§2-5, Apr. 8, 2022, 136 Stat. 1159-1165, provided that:

“SEC. 2. FINDINGS.

“Congress finds the following:

“(1) The United States is a founding member of the World Trade Organization (WTO) and is committed to ensuring that the WTO remains an effective forum for peaceful economic engagement.

“(2) Ukraine is a sovereign nation-state that is entitled to enter into agreements with other sovereign states and to full respect of its territorial integrity.

“(3) The United States will be unwavering in its support for a secure, democratic, and sovereign Ukraine, free to choose its own leaders and future.

“(4) Ukraine acceded to the Marrakesh Agreement Establishing the World Trade Organization (WTO Agreement) and has been a WTO member since 2008.

“(5) Ukraine’s participation in the WTO Agreement creates both rights and obligations vis-à-vis other WTO members.

“(6) The Russian Federation acceded to the WTO on August 22, 2012, becoming the 156th WTO member, and the Republic of Belarus has applied to accede to the WTO.

“(7) From the date of its accession, the Russian Federation committed to apply fully all provisions of the WTO.

“(8) The United States Congress authorized permanent normal trade relations for the Russian Federation through the Russia and Moldova Jackson-Vanik Repeal and Sergei Magnitsky Rule of Law Accountability Act of 2012 (Public Law 112-208) [see Short Title of 2012 Amendment note set out under section 2101 of this title].

“(9) Ukraine communicated to the WTO General Council on March 2, 2022, urging that all WTO members take action against the Russian Federation and ‘consider further steps with the view to suspending the Russian Federation’s participation in the WTO for its violation of the purpose and principles of this Organization’.

“(10) Vladimir Putin, a ruthless dictator, has led the Russian Federation into a war of aggression against Ukraine, which—

“(A) denies Ukraine and its people their collective rights to independence, sovereignty, and territorial integrity;

“(B) constitutes an emergency in international relations, because it is a situation of armed conflict that threatens the peace and security of all countries, including the United States; and

“(C) denies Ukraine its rightful ability to participate in international organizations, including the WTO.

“(11) The Republic of Belarus, also led by a ruthless dictator, Aleksander Lukashenka, is providing important material support to the Russian Federation’s aggression.

“(12) The Russian Federation’s exportation of goods in the energy sector is central to its ability to wage its war of aggression on Ukraine.

“(13) The United States, along with its allies and partners, has responded to recent aggression by the Russian Federation in Ukraine by imposing sweeping financial sanctions and stringent export controls.

“(14) The United States cannot allow the consequences of the Russian Federation’s actions to go unaddressed, and must lead fellow countries, in all fora, including the WTO, to impose appropriate consequences for the Russian Federation’s aggression.

“SEC. 3. SUSPENSION OF NORMAL TRADE RELATIONS WITH THE RUSSIAN FEDERATION AND THE REPUBLIC OF BELARUS.

“(a) NONDISCRIMINATORY TARIFF TREATMENT.—Notwithstanding any other provision of law, beginning on the day after the date of the enactment of this Act [Apr. 8, 2022], the rates of duty set forth in column 2 of the Harmonized Tariff Schedule of the United States shall apply to all products of the Russian Federation and of the Republic of Belarus.

“(b) AUTHORITY TO PROCLAIM INCREASED COLUMN 2 RATES.—