

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.—

“(1) IN GENERAL.—The President may proclaim increases in the rates of duty applicable to products of the Russian Federation or the Republic of Belarus, above the rates set forth in column 2 of the Harmonized Tariff Schedule of the United States.

“(2) PRIOR CONSULTATION.—The President shall, not later than 5 calendar days before issuing any proclamation under paragraph (1), consult with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate regarding the basis for and anticipated impact of the proposed increases to rates of duty described in paragraph (1).

“(3) TERMINATION.—The authority to issue proclamations under this subsection shall terminate on January 1, 2024.

“SEC. 4. RESUMPTION OF APPLICATION OF HTS COLUMN 1 RATES OF DUTY AND RESTORATION OF NORMAL TRADE RELATIONS TREATMENT FOR THE RUSSIAN FEDERATION AND THE REPUBLIC OF BELARUS.

“(a) TEMPORARY APPLICATION OF HTS COLUMN 1 RATES OF DUTY.—

“(1) IN GENERAL.—Notwithstanding any other provision of law (including the application of column 2 rates of duty under section 3), the President is authorized to temporarily resume, for one or more periods not to exceed 1 year each, the application of the rates of duty set forth in column 1 of the Harmonized Tariff Schedule of the United States to the products of the Russian Federation, the Republic of Belarus, or both, if the President submits to Congress with respect to either or both such countries a certification under subsection (c) for each such period. Such action shall take effect beginning on the date that is 90 calendar days after the date of submission of such certification for such period, unless there is enacted into law during such 90-day period a joint resolution of disapproval.

“(2) CONSULTATION AND REPORT.—The President shall, not later than 45 calendar days before submitting a certification under paragraph (1)—

“(A) consult with—

“(i) the Committee on Ways and Means and the Committee on Foreign Affairs of the House of Representatives; and

“(ii) the Committee on Finance and the Committee on Foreign Relations of the Senate; and

“(B) submit to all such committees a report that explains the basis for the determination of the President contained in such certification.

“(b) RESTORATION OF NORMAL TRADE RELATIONS TREATMENT.—

“(1) IN GENERAL.—The President is authorized to resume the application of the rates of duty set forth in column 1 of the Harmonized Tariff Schedule of the United States to the products of the Russian Federation, the Republic of Belarus, or both, if the President submits to Congress with respect to either or both such countries a certification under subsection (c). Such action shall take effect beginning on the date that is 90 calendar days after the date of submission of such certification, unless there is enacted into law during such 90-day period a joint resolution of disapproval.

“(2) CONSULTATION AND REPORT.—The President shall, not later than 45 calendar days before submitting a certification under paragraph (1)—

“(A) consult with—

“(i) the Committee on Ways and Means and the Committee on Foreign Affairs of the House of Representatives; and

“(ii) the Committee on Finance and the Committee on Foreign Relations of the Senate; and

“(B) submit to all such committees a report that explains the basis for the determination of the President contained in such certification.

“(3) PRODUCTS OF THE RUSSIAN FEDERATION.—If the President submits pursuant to paragraph (1) a certifi-

cation under subsection (c) with respect to the Russian Federation and a joint resolution of disapproval is not enacted during the 90-day period described in that paragraph, the President may grant permanent nondiscriminatory tariff treatment (normal trade relations) to the products of the Russian Federation.

“(4) PRODUCTS OF THE REPUBLIC OF BELARUS.—If the President submits pursuant to paragraph (1) a certification under subsection (c) with respect to the Republic of Belarus and a joint resolution of disapproval is not enacted during the 90-day period described in that paragraph, the President may, subject to the provisions of chapter 1 of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.), grant nondiscriminatory tariff treatment (normal trade relations) to the products of the Republic of Belarus.

“(c) CERTIFICATION.—A certification under this subsection is a certification in writing that—

“(1) specifies the action proposed to be taken pursuant to the certification and whether such action is pursuant to subsection (a)(1) or (b)(1) of this section; and

“(2) contains a determination of the President that the Russian Federation or the Republic of Belarus (or both)—

“(A) has reached an agreement relating to the respective withdrawal of Russian or Belarusian forces (or both, if applicable) and cessation of military hostilities that is accepted by the free and independent government of Ukraine;

“(B) poses no immediate military threat of aggression to any North Atlantic Treaty Organization member; and

“(C) recognizes the right of the people of Ukraine to independently and freely choose their own government.

“(d) JOINT RESOLUTION OF DISAPPROVAL.—

“(1) DEFINITION.—For purposes of this section, the term ‘joint resolution of disapproval’ means only a joint resolution—

“(A) which does not have a preamble;

“(B) the title of which is as follows: ‘Joint resolution disapproving the President’s certification under section 4(c) of the Suspending Normal Trade Relations with Russia and Belarus Act.’; and

“(C) the matter after the resolving clause of which is as follows: ‘That Congress disapproves the certification of the President under section 4(c) of the Suspending Normal Trade Relations with Russia and Belarus Act, submitted to Congress on _____’, the blank space being filled in with the appropriate date.

“(2) INTRODUCTION IN THE HOUSE OF REPRESENTATIVES.—During a period of 5 legislative days beginning on the date that a certification under subsection (c) is submitted to Congress, a joint resolution of disapproval may be introduced in the House of Representatives by the majority leader or the minority leader.

“(3) INTRODUCTION IN THE SENATE.—During a period of 5 days on which the Senate is in session beginning on the date that a certification under subsection (c) is submitted to Congress, a joint resolution of disapproval may be introduced in the Senate by the majority leader (or the majority leader’s designee) or the minority leader (or the minority leader’s designee).

“(4) FLOOR CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—

“(A) REPORTING AND DISCHARGE.—If a committee of the House to which a joint resolution of disapproval has been referred has not reported such joint resolution within 10 legislative days after the date of referral, that committee shall be discharged from further consideration thereof.

“(B) PROCEEDING TO CONSIDERATION.—Beginning on the third legislative day after each committee to which a joint resolution of disapproval has been referred reports it to the House or has been discharged from further consideration thereof, it shall

be in order to move to proceed to consider the joint resolution in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on a joint resolution with regard to the same certification. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

“(C) CONSIDERATION.—The joint resolution shall be considered as read. All points of order against the joint resolution and against its consideration are waived. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except two hours of debate equally divided and controlled by the sponsor of the joint resolution (or a designee) and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

“(5) CONSIDERATION IN THE SENATE.—

“(A) COMMITTEE REFERRAL.—A joint resolution of disapproval introduced in the Senate shall be referred to the Committee on Finance.

“(B) REPORTING AND DISCHARGE.—If the Committee on Finance has not reported such joint resolution of disapproval within 10 days on which the Senate is in session after the date of referral of such joint resolution, that committee shall be discharged from further consideration of such joint resolution and the joint resolution shall be placed on the appropriate calendar.

“(C) MOTION TO PROCEED.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time after the Committee on Finance reports the joint resolution of disapproval to the Senate or has been discharged from its consideration (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) shall be waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution of disapproval is agreed to, the joint resolution shall remain the unfinished business until disposed of.

“(D) DEBATE.—Debate on the joint resolution of disapproval, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between the majority and minority leaders or their designees. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution of disapproval is not in order.

“(E) VOTE ON PASSAGE.—The vote on passage shall occur immediately following the conclusion of the debate on the joint resolution of disapproval and a single quorum call at the conclusion of the debate, if requested in accordance with the rules of the Senate.

“(F) RULES OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to the joint resolution of disapproval shall be decided without debate.

“(G) CONSIDERATION OF VETO MESSAGES.—Debate in the Senate of any veto message with respect to the joint resolution of disapproval, including all debatable motions and appeals in connection with such joint resolution, shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

“(6) PROCEDURES IN THE SENATE.—Except as otherwise provided in this subsection, the following procedures shall apply in the Senate to a joint resolution of disapproval to which this subsection applies:

“(A) Except as provided in subparagraph (B), a joint resolution of disapproval that has passed the House of Representatives shall, when received in the Senate, be referred to the Committee on Finance for consideration in accordance with this subsection.

“(B) If a joint resolution of disapproval to which this subsection applies was introduced in the Senate before receipt of a joint resolution of disapproval that has passed the House of Representatives, the joint resolution from the House of Representatives shall, when received in the Senate, be placed on the calendar. If this subparagraph applies, the procedures in the Senate with respect to a joint resolution of disapproval introduced in the Senate that contains the identical matter as the joint resolution of disapproval that passed the House of Representatives shall be the same as if no joint resolution of disapproval had been received from the House of Representatives, except that the vote on passage in the Senate shall be on the joint resolution of disapproval that passed the House of Representatives.

“(7) RULES OF THE HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress—

“(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such are deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of legislation described in those sections, and supersede other rules only to the extent that they are inconsistent with such rules; and

“(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

“SEC. 5. COOPERATION AND ACCOUNTABILITY AT THE WORLD TRADE ORGANIZATION.

“The United States Trade Representative shall use the voice and influence of the United States at the WTO to—

“(1) condemn the recent aggression in Ukraine;

“(2) encourage other WTO members to suspend trade concessions to the Russian Federation and the Republic of Belarus;

“(3) consider further steps with the view to suspend the Russian Federation’s participation in the WTO; and

“(4) seek to halt the accession process of the Republic of Belarus at the WTO and cease accession-related work.”

EXTENSION OF NONDISCRIMINATORY TREATMENT TO PRODUCTS OF THE RUSSIAN FEDERATION; TRADE ENFORCEMENT MEASURES

Pub. L. 112-208, titles I, II, Dec. 14, 2012, 126 Stat. 1497, 1498, as amended by Pub. L. 118-31, div. F, title LXVII, § 6707(b)(2), Dec. 22, 2023, 137 Stat. 1018, provided that:

“TITLE I—PERMANENT NORMAL TRADE RELATIONS FOR THE RUSSIAN FEDERATION

“SEC. 101. FINDINGS.

“Congress finds the following:

“(1) The Russian Federation allows its citizens the right and opportunity to emigrate, free of any heavy tax on emigration or on the visas or other documents required for emigration and free of any tax, levy, fine, fee, or other charge on any citizens as a consequence of the desire of those citizens to emigrate to the country of their choice.

“(2) The Russian Federation has been found to be in full compliance with the freedom of emigration re-

quirements under title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.) since 1994.

“(3) The Russian Federation has received normal trade relations treatment since concluding a bilateral trade agreement with the United States that entered into force in 1992.

“(4) On December 16, 2011, the Ministerial Conference of the World Trade Organization invited the Russian Federation to accede to the World Trade Organization.

“SEC. 102. TERMINATION OF APPLICATION OF TITLE IV OF THE TRADE ACT OF 1974 TO PRODUCTS OF THE RUSSIAN FEDERATION.

“(a) PRESIDENTIAL DETERMINATIONS AND EXTENSION OF NONDISCRIMINATORY TREATMENT.—Notwithstanding any provision of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.), the President may—

“(1) determine that such title should no longer apply to the Russian Federation; and

“(2) after making a determination under paragraph (1) with respect to the Russian Federation, proclaim the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of the Russian Federation.

“(b) EFFECTIVE DATE OF NONDISCRIMINATORY TREATMENT.—The extension of nondiscriminatory treatment to the products of the Russian Federation pursuant to subsection (a) shall be effective not sooner than the effective date of the accession of the Russian Federation to the World Trade Organization [Aug. 22, 2012].

“(c) TERMINATION OF APPLICABILITY OF TITLE IV.—On and after the effective date under subsection (b) of the extension of nondiscriminatory treatment to the products of the Russian Federation, title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.) shall cease to apply to the Russian Federation.

“TITLE II—TRADE ENFORCEMENT MEASURES RELATING TO THE RUSSIAN FEDERATION

“SEC. 201. REPORTS ON IMPLEMENTATION BY THE RUSSIAN FEDERATION OF OBLIGATIONS AS A MEMBER OF THE WORLD TRADE ORGANIZATION AND ENFORCEMENT ACTIONS BY THE UNITED STATES TRADE REPRESENTATIVE.

“(a) REPORTS ON IMPLEMENTATION.—

“(1) IN GENERAL.—Not later than one year after the effective date under section 102(b) of the extension of nondiscriminatory treatment to the products of the Russian Federation, and annually thereafter, the United States Trade Representative shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report assessing the following:

“(A) The extent to which the Russian Federation is implementing the WTO Agreement (as defined in section 2 of the Uruguay Round Agreements Act (19 U.S.C. 3501)) and the following agreements annexed to that Agreement:

“(i) The Agreement on the Application of Sanitary and Phytosanitary Measures (referred to in section 101(d)(3) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(3))).

“(ii) The Agreement on Trade-Related Aspects of Intellectual Property Rights (referred to in section 101(d)(15) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(15))).

“(B) The progress made by the Russian Federation in acceding to, and the extent to which the Russian Federation is implementing, the following:

“(i) The Ministerial Declaration on Trade in Information Technology Products of the World Trade Organization, agreed to at Singapore December 13, 1996 (commonly referred to as the ‘Information Technology Agreement’) (or a successor agreement).

“(ii) The Agreement on Government Procurement (referred to in section 101(d)(17) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(17))).

“(2) PLAN FOR ACTION BY TRADE REPRESENTATIVE.—

“(A) IN GENERAL.—If, in preparing a report required by paragraph (1), the Trade Representative believes that the Russian Federation is not fully implementing an agreement specified in subparagraph (A) or (B) of that paragraph or that the Russian Federation is not making adequate progress in acceding to an agreement specified in subparagraph (B) of that paragraph, the Trade Representative shall, except as provided in subparagraph (B) of this paragraph, include in the report a description of the actions the Trade Representative plans to take to encourage the Russian Federation to improve its implementation of the agreement or increase its progress in acceding to the agreement, as the case may be.

“(B) CLASSIFIED INFORMATION.—If any information regarding a planned action referred to in subparagraph (A) is classifiable under Executive Order No. 13526 (75 Fed. Reg. 707; relating to classified national security information) [50 U.S.C. 3161 note] or a subsequent Executive order, the Trade Representative shall report that information to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives by—

“(i) including the information in a classified annex to the report required by paragraph (1); or

“(ii) consulting with the Committee on Finance and the Committee on Ways and Means with respect to the information instead of including the information in the report or a classified annex to the report.

“(3) PUBLIC COMMENTS.—

“(A) IN GENERAL.—In developing the report required by paragraph (1), the Trade Representative shall provide an opportunity for the public to comment, including by holding a public hearing.

“(B) PUBLICATION IN FEDERAL REGISTER.—The Trade Representative shall publish notice of the opportunity to comment and hearing required by subparagraph (A) in the Federal Register.

“(b) REPORT ON ENFORCEMENT ACTIONS TAKEN BY TRADE REPRESENTATIVE.—Not later than 180 days after the effective date under section 102(b) of the extension of nondiscriminatory treatment to the products of the Russian Federation, and annually thereafter, the United States Trade Representative shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report describing the enforcement actions taken by the Trade Representative against the Russian Federation to ensure the full compliance of the Russian Federation with its obligations as a member of the World Trade Organization, including obligations under agreements with members of the Working Party on the accession of the Russian Federation to the World Trade Organization.

“SEC. 202. PROMOTION OF THE RULE OF LAW IN THE RUSSIAN FEDERATION TO SUPPORT UNITED STATES TRADE AND INVESTMENT.

“[(a) Repealed. Pub. L. 118-31, div. F, title LXVII, § 6707(b)(2), Dec. 22, 2023, 137 Stat. 1018.]

“(b) ANTI-BRIBERY REPORTING AND ASSISTANCE.—

“(1) IN GENERAL.—The Secretary of Commerce shall establish and maintain a dedicated phone hotline and secure website, accessible from within and outside the Russian Federation, for the purpose of allowing United States entities—

“(A) to report instances of bribery, attempted bribery, or other forms of corruption in the Russian Federation that impact or potentially impact their operations; and

“(B) to request the assistance of the United States with respect to issues relating to corruption in the Russian Federation.

“(2) REPORT REQUIRED.—

“(A) IN GENERAL.—Not later than one year after the effective date under section 102(b) of the exten-

sion of nondiscriminatory treatment to the products of the Russian Federation, and annually thereafter, the Secretary of Commerce shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report that includes the following:

“(i) The number of instances in which bribery, attempted bribery, or other forms of corruption have been reported using the hotline or website established pursuant to paragraph (1).

“(ii) A description of the regions in the Russian Federation in which those instances are alleged to have occurred.

“(iii) A summary of actions taken by the United States to provide assistance to United States entities pursuant to paragraph (1)(B).

“(iv) A description of the efforts taken by the Secretary to inform United States entities conducting business in the Russian Federation or considering conducting business in the Russian Federation of the availability of assistance through the hotline and website.

“(B) CONFIDENTIALITY.—The Secretary shall not include in the report required by subparagraph (A) the identity of a United States entity that reports instances of bribery, attempted bribery, or other forms of corruption in the Russian Federation or requests assistance pursuant to paragraph (1).

“SEC. 203. REPORTS ON LAWS, POLICIES, AND PRACTICES OF THE RUSSIAN FEDERATION THAT DISCRIMINATE AGAINST UNITED STATES DIGITAL TRADE.

[Amended section 2241 of this title.]

“SEC. 204. EFFORTS TO REDUCE BARRIERS TO TRADE IMPOSED BY THE RUSSIAN FEDERATION.

“The United States Trade Representative shall continue to pursue the reduction of barriers to trade imposed by the Russian Federation on articles exported from the United States to the Russian Federation through efforts—

“(1) to negotiate a bilateral agreement under which the Russian Federation will accept the sanitary and phytosanitary measures of the United States as equivalent to the sanitary and phytosanitary measures of the Russian Federation; and

“(2) to obtain the adoption by the Russian Federation of an action plan for providing greater protections for intellectual property rights than the protections required by the Agreement on Trade-Related Aspects of Intellectual Property Rights (referred to in section 101(d)(15) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(15))).”

EXTENSION OF NONDISCRIMINATORY TREATMENT TO PRODUCTS OF MOLDOVA

Pub. L. 112-208, title III, Dec. 14, 2012, 126 Stat. 1501, provided that:

“SEC. 301. FINDINGS.

“Congress finds the following:

“(1) Moldova allows its citizens the right and opportunity to emigrate, free of any heavy tax on emigration or on the visas or other documents required for emigration and free of any tax, levy, fine, fee, or other charge on any citizens as a consequence of the desire of those citizens to emigrate to the country of their choice.

“(2) Moldova has been found to be in full compliance with the freedom of emigration requirements under title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.) since 1997.

“(3) Moldova acceded to the World Trade Organization on July 26, 2001.

“SEC. 302. TERMINATION OF APPLICATION OF TITLE IV OF THE TRADE ACT OF 1974 TO PRODUCTS OF MOLDOVA.

“(a) PRESIDENTIAL DETERMINATIONS AND EXTENSION OF NONDISCRIMINATORY TREATMENT.—Notwithstanding any

provision of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.), the President may—

“(1) determine that such title should no longer apply to Moldova; and

“(2) after making a determination under paragraph (1) with respect to Moldova, proclaim the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Moldova.

“(b) TERMINATION OF APPLICABILITY OF TITLE IV.—On and after the date on which the President extends nondiscriminatory treatment to the products of Moldova pursuant to subsection (a), title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.) shall cease to apply to Moldova.”

EXTENSION OF NONDISCRIMINATORY TREATMENT TO PRODUCTS OF UKRAINE

Pub. L. 109-205, Mar. 23, 2006, 120 Stat. 313, provided that:

“SECTION 1. FINDINGS.

“Congress finds as follows:

“(1) Ukraine allows its citizens the right and opportunity to emigrate, free of any heavy tax on emigration or on the visas or other documents required for emigration and free of any tax, levy, fine, fee, or other charge on any citizens as a consequence of the desire of such citizens to emigrate to the country of their choice.

“(2) Ukraine has received normal trade relations treatment since 1992 and has been found to be in full compliance with the freedom of emigration requirements under title IV of the Trade Act of 1974 [19 U.S.C. 2431 et seq.] since 1997.

“(3) Since the establishment of an independent Ukraine in 1991, Ukraine has made substantial progress toward the creation of democratic institutions and a free-market economy.

“(4) Ukraine has committed itself to ensuring freedom of religion, respect for rights of minorities, and eliminating intolerance and has been a paragon of inter-ethnic cooperation and harmony, as evidenced by the annual human rights reports of the Organization for Security and Cooperation in Europe (OSCE) and the United States Department of State.

“(5) Ukraine has taken major steps toward global security by ratifying the Treaty on the Reduction and Limitation of Strategic Offensive Weapons (START I) and the Treaty on the Non-Proliferation of Nuclear Weapons, subsequently turning over the last of its Soviet-era nuclear warheads on June 1, 1996, and agreeing, in 1998, not to assist Iran with the completion of a program to develop and build nuclear breeding reactors, and has fully supported the United States in nullifying the Anti-Ballistic Missile (ABM) Treaty.

“(6) At the Madrid Summit in 1997, Ukraine became a member of the North Atlantic Cooperation Council of the North Atlantic Treaty Organization (NATO), and has been a participant in the Partnership for Peace (PfP) program since 1994.

“(7) Ukraine is a peaceful state which established exemplary relations with all neighboring countries, and consistently pursues a course of European integration with a commitment to ensuring democracy and prosperity for its citizens.

“(8) Ukraine has built a broad and durable relationship with the United States and has been an unwavering ally in the struggle against international terrorism that has taken place since the attacks against the United States that occurred on September 11, 2001.

“(9) Ukraine has concluded a bilateral trade agreement with the United States that entered into force on June 23, 1992, and is in the process of acceding to the World Trade Organization (WTO). On March 6, 2006, the United States and Ukraine signed a bilateral market access agreement as a part of the WTO accession process.

“SEC. 2. TERMINATION OF APPLICATION OF TITLE IV OF THE TRADE ACT OF 1974 TO THE PRODUCTS OF UKRAINE.

“(a) PRESIDENTIAL DETERMINATIONS AND EXTENSION OF NONDISCRIMINATORY TREATMENT.—Notwithstanding any provision of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.), the President may—

“(1) determine that such title should no longer apply to Ukraine; and

“(2) after making a determination under paragraph (1) with respect to Ukraine, proclaim the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of that country.

“(b) TERMINATION OF APPLICABILITY OF TITLE IV.—On and after the effective date under subsection (a) of the extension of nondiscriminatory treatment to the products of Ukraine [Nondiscriminatory treatment extended Mar. 31, 2006, see Proc. No. 7995, listed in the table of presidential documents below.], title IV of the Trade Act of 1974 shall cease to apply to that country.”

EXTENSION OF NONDISCRIMINATORY TREATMENT TO PRODUCTS OF ARMENIA

Pub. L. 108-429, title II, § 2001, Dec. 3, 2004, 118 Stat. 2587, provided that:

“(a) FINDINGS.—Congress makes the following findings:

“(1) Armenia has been found to be in full compliance with the freedom of emigration requirements under title IV of the Trade Act of 1974 [19 U.S.C. 2431 et seq.].

“(2) Armenia acceded to the World Trade Organization on February 5, 2003.

“(3) Since declaring its independence from the Soviet Union in 1991, Armenia has made considerable progress in enacting free-market reforms.

“(4) Armenia has demonstrated a strong desire to build a friendly and cooperative relationship with the United States and has concluded many bilateral treaties and agreements with the United States.

“(5) Total United States-Armenia bilateral trade for 2002 amounted to more than \$134,200,000.

“(b) PRESIDENTIAL DETERMINATIONS AND EXTENSIONS OF NONDISCRIMINATORY TREATMENT.—Notwithstanding any provision of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.), the President may—

“(1) determine that such title should no longer apply to Armenia; and

“(2) after making a determination under paragraph (1) with respect to Armenia, proclaim the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of that country.

“(c) TERMINATION OF APPLICATION OF TITLE IV.—On and after the effective date of the extension under subsection (b)(2) of nondiscriminatory treatment to the products of Armenia [Nondiscriminatory treatment extended Jan. 7, 2005, see Proc. No. 7860, listed in the table of presidential documents below.], title IV of the Trade Act of 1974 shall cease to apply to that country.”

EXTENSION OF NONDISCRIMINATORY TREATMENT TO PRODUCTS OF VIETNAM

Pub. L. 109-432, div. D, title IV, §§ 4001, 4002, Dec. 20, 2006, 120 Stat. 3177, 3178, provided that:

“SEC. 4001. FINDINGS.

“Congress finds the following:

“(1) In July 1995, President Bill Clinton announced the formal normalization of diplomatic relations between the United States and Vietnam.

“(2) Vietnam has taken cooperative steps with the United States under the United States Joint POW/MIA Accounting Command (formerly the Joint Task Force-Full Accounting) established in 1992 by President George H.W. Bush to provide the fullest possible accounting of MIA and POW cases.

“(3) In 2000, the United States and Vietnam concluded a bilateral trade agreement that included commitments on goods, services, intellectual prop-

erty rights, and investment. The agreement was approved by joint resolution enacted pursuant to section 405(c) of the Trade Act of 1974 (19 U.S.C. 2435(c)), and entered into force in December 2001.

“(4) Since 2001, normal trade relations treatment has consistently been extended to Vietnam pursuant to title IV of the Trade Act of 1974 [19 U.S.C. 2431 et seq.].

“(5) Vietnam has undertaken significant market-based economic reforms, including the reduction of government subsidies, tariffs and nontariff barriers, and extensive legal reform. These measures have dramatically improved Vietnam’s business and investment climate.

“(6) Vietnam has completed its negotiations to join the World Trade Organization (WTO). On May 31, 2006, the United States and Vietnam signed a comprehensive bilateral agreement providing greater market access for goods and services and other trade liberalizing commitments. On November 7, 2006, the WTO General Council approved Vietnam’s membership. Vietnam’s National Assembly ratified Vietnam’s WTO accession commitments on November 28, 2006, and Vietnam will become the 150th Member of the WTO 30 days thereafter.

“(7) On November 13, 2006, the Department of State removed Vietnam from its list of Countries of Particular Concern (CPC) for severe violations of religious freedom. In reaching this determination, the Department of State cited significant improvements in Vietnam toward advancing religious freedom, though problems remain that merit immediate attention and important work remains to be done to fully protect religious freedom in Vietnam.

“SEC. 4002. TERMINATION OF APPLICATION OF TITLE IV OF THE TRADE ACT OF 1974 TO VIETNAM.

“(a) PRESIDENTIAL DETERMINATIONS AND EXTENSION OF NON-DISCRIMINATORY TREATMENT.—Notwithstanding any provision of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.), the President may—

“(1) determine that such title should no longer apply to Vietnam; and

“(2) after making a determination under paragraph (1) with respect to Vietnam, proclaim the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of that country.

“(b) TERMINATION OF THE APPLICABILITY OF TITLE IV.—On and after the effective date of the extension of nondiscriminatory treatment to the products of Vietnam under subsection (a) [Nondiscriminatory treatment extended Dec. 29, 2006, see Proc. No. 8096, listed in the table of presidential documents below.], title IV of the Trade Act of 1974 [19 U.S.C. 2431 et seq.] shall cease to apply to that country.”

Pub. L. 107-52, Oct. 16, 2001, 115 Stat. 268, provided: “That the Congress approves the extension of nondiscriminatory treatment with respect to the products of the Socialist Republic of Vietnam transmitted by the President to the Congress on June 8, 2001.”

EXTENSION OF NONDISCRIMINATORY TREATMENT TO PRODUCTS OF GEORGIA

Pub. L. 106-476, title III, Nov. 9, 2000, 114 Stat. 2175, provided that:

“SEC. 3001. FINDINGS.

“Congress finds that Georgia has—

“(1) made considerable progress toward respecting fundamental human rights consistent with the objectives of title IV of the Trade Act of 1974 [19 U.S.C. 2431 et seq.];

“(2) adopted administrative procedures that accord its citizens the right to emigrate, travel freely, and to return to their country without restriction;

“(3) been found to be in full compliance with the freedom of emigration provisions in title IV of the Trade Act of 1974;

“(4) made progress toward democratic rule and creating a free market economic system since its independence from the Soviet Union;

“(5) demonstrated strong and effective enforcement of internationally recognized core labor standards and a commitment to continue to improve effective enforcement of its laws reflecting such standards;

“(6) committed to developing a system of governance in accordance with the provisions of the Final Act of the Conference on Security and Cooperation in Europe (also known as the ‘Helsinki Final Act’) regarding human rights and humanitarian affairs;

“(7) endeavored to address issues related to its national and religious minorities and, as a member state of the Organization for Security and Cooperation in Europe (OSCE), committed to adopting special measures for ensuring that persons belonging to national minorities have full equality individually as well as in community with other members of their group;

“(8) also committed to enacting legislation to provide protection against incitement to violence against persons or groups based on national, racial, ethnic, or religious discrimination, hostility, or hatred, including anti-Semitism;

“(9) continued to return communal properties confiscated from national and religious minorities during the Soviet period, facilitating the reemergence of these communities in the national life of Georgia and establishing the legal framework for completion of this process in the future;

“(10) concluded a bilateral trade agreement with the United States in 1993 and a bilateral investment treaty in 1994;

“(11) demonstrated a strong desire to build a friendly and cooperative relationship with the United States; and

“(12) acceded to the World Trade Organization on June 14, 2000, and the extension of unconditional normal trade relations treatment to the products of Georgia will enable the United States to avail itself of all rights under the World Trade Organization with respect to Georgia.

SEC. 3002. TERMINATION OF APPLICATION OF TITLE IV OF THE TRADE ACT OF 1974 TO GEORGIA.

“(a) PRESIDENTIAL DETERMINATIONS AND EXTENSIONS OF NONDISCRIMINATORY TREATMENT.—Notwithstanding any provision of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.), the President may—

“(1) determine that such title should no longer apply to Georgia; and

“(2) after making a determination under paragraph (1) with respect to Georgia, proclaim the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of that country.

“(b) TERMINATION OF APPLICATION OF TITLE IV.—On and after the effective date of the extension under subsection (a)(2) of nondiscriminatory treatment to the products of Georgia [Nondiscriminatory treatment extended Dec. 29, 2000, see Proc. No. 7389, listed in the table of presidential documents below.], title IV of the Trade Act of 1974 shall cease to apply to that country.”

EXTENSION OF NONDISCRIMINATORY TREATMENT TO PRODUCTS OF PEOPLE’S REPUBLIC OF CHINA

Pub. L. 106-286, div. A, title I, §§101, 102, Oct. 10, 2000, 114 Stat. 881, 882, provided that:

SEC. 101. TERMINATION OF APPLICATION OF CHAPTER 1 OF TITLE IV OF THE TRADE ACT OF 1974 TO THE PEOPLE’S REPUBLIC OF CHINA.

“(a) PRESIDENTIAL DETERMINATIONS AND EXTENSION OF NONDISCRIMINATORY TREATMENT.—Notwithstanding any provision of chapter 1 of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.) [this part], as designated by section 3(a)(2) [103(a)(2)] of this Act, the President may—

“(1) determine that such chapter should no longer apply to the People’s Republic of China; and

“(2) after making a determination under paragraph (1) with respect to the People’s Republic of China,

proclaim the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of that country.

“(b) ACCESSION OF THE PEOPLE’S REPUBLIC OF CHINA TO THE WORLD TRADE ORGANIZATION.—Prior to making the determination provided for in subsection (a)(1) and pursuant to the provisions of section 122 of the Uruguay Round Agreements Act (19 U.S.C. 3532), the President shall transmit a report to Congress certifying that the terms and conditions for the accession of the People’s Republic of China to the World Trade Organization are at least equivalent to those agreed between the United States and the People’s Republic of China on November 15, 1999.

“SEC. 102. EFFECTIVE DATE.

“(a) EFFECTIVE DATE OF NONDISCRIMINATORY TREATMENT.—The extension of nondiscriminatory treatment pursuant to section 101(a) shall be effective no earlier than the effective date of the accession of the People’s Republic of China to the World Trade Organization [Dec. 11, 2001].

“(b) TERMINATION OF APPLICABILITY OF TITLE IV.—On and after the effective date under subsection (a) of the extension of nondiscriminatory treatment to the products of the People’s Republic of China [Nondiscriminatory treatment extended Jan. 1, 2002, see Proc. No. 7516, listed in the table of presidential documents below.], chapter 1 of title IV of the Trade Act of 1974 [this part] (as designated by section 103(a)(2) of this Act) shall cease to apply to that country.”

EXTENSION OF NONDISCRIMINATORY TREATMENT TO PRODUCTS OF ALBANIA

Pub. L. 106-200, title III, §301, May 18, 2000, 114 Stat. 288, provided that:

“(a) FINDINGS.—Congress makes the following findings:

“(1) Albania has been found to be in full compliance with the freedom of emigration requirements under title IV of the Trade Act of 1974 [19 U.S.C. 2431 et seq.].

“(2) Since its emergence from communism, Albania has made progress toward democratic rule and the creation of a free-market economy.

“(3) Albania has concluded a bilateral investment treaty with the United States.

“(4) Albania has demonstrated a strong desire to build a friendly relationship with the United States and has been very cooperative with NATO and the international community during and after the Kosova crisis.

“(5) The extension of unconditional normal trade relations treatment to the products of Albania will enable the United States to avail itself of all rights under the World Trade Organization with respect to Albania when that country becomes a member of the World Trade Organization.

“(b) TERMINATION OF APPLICATION OF TITLE IV OF THE TRADE ACT OF 1974 TO ALBANIA.

“(1) PRESIDENTIAL DETERMINATIONS AND EXTENSIONS OF NONDISCRIMINATORY TREATMENT.—Notwithstanding any provision of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.), the President may—

“(A) determine that such title should no longer apply to Albania; and

“(B) after making a determination under subparagraph (A) with respect to Albania, proclaim the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of that country.

“(2) TERMINATION OF APPLICATION OF TITLE IV.—On or after the effective date of the extension under paragraph (1)(B) of nondiscriminatory treatment to the products of Albania [Nondiscriminatory treatment extended June 29, 2000, see Proc. No. 7326, listed in the table of presidential documents below.], title IV of the Trade Act of 1974 shall cease to apply to that country.”

EXTENSION OF NONDISCRIMINATORY TREATMENT TO
PRODUCTS OF KYRGYZSTAN

Pub. L. 106-200, title III, § 302, May 18, 2000, 114 Stat. 289, provided that:

“(a) FINDINGS.—Congress makes the following findings:

“(1) Kyrgyzstan has been found to be in full compliance with the freedom of emigration requirements under title IV of the Trade Act of 1974 [19 U.S.C. 2431 et seq.].

“(2) Since its independence from the Soviet Union in 1991, Kyrgyzstan has made great progress toward democratic rule and toward creating a free-market economic system.

“(3) Kyrgyzstan concluded a bilateral investment treaty with the United States in 1994.

“(4) Kyrgyzstan has demonstrated a strong desire to build a friendly and cooperative relationship with the United States.

“(5) The extension of unconditional normal trade relations treatment to the products of Kyrgyzstan will enable the United States to avail itself of all rights under the World Trade Organization with respect to Kyrgyzstan.

“(b) TERMINATION OF APPLICATION OF TITLE IV OF THE TRADE ACT OF 1974 TO KYRGYZSTAN.—

“(1) PRESIDENTIAL DETERMINATIONS AND EXTENSIONS OF NONDISCRIMINATORY TREATMENT.—Notwithstanding any provision of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.), the President may—

“(A) determine that such title should no longer apply to Kyrgyzstan; and

“(B) after making a determination under subparagraph (A) with respect to Kyrgyzstan, proclaim the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of that country.

“(2) TERMINATION OF APPLICATION OF TITLE IV.—On or after the effective date of the extension under paragraph (1)(B) of nondiscriminatory treatment to the products of Kyrgyzstan [Nondiscriminatory treatment extended June 29, 2000, see Proc. No. 7326, listed in the table of presidential documents below.], title IV of the Trade Act of 1974 shall cease to apply to that country.”

EXTENSION OF NONDISCRIMINATORY TREATMENT TO
PRODUCTS OF MONGOLIA

Pub. L. 106-36, title II, § 2424, June 25, 1999, 113 Stat. 180, provided that:

“(a) FINDINGS.—The Congress finds that Mongolia—

“(1) has received normal trade relations treatment since 1991 and has been found to be in full compliance with the freedom of emigration requirements under title IV of the Trade Act of 1974 [19 U.S.C. 2431 et seq.];

“(2) has emerged from nearly 70 years of communism and dependence on the former Soviet Union, approving a new constitution in 1992 which has established a modern parliamentary democracy charged with guaranteeing fundamental human rights, freedom of expression, and an independent judiciary;

“(3) has held four national elections under the new constitution, two presidential and two parliamentary, thereby solidifying the nation’s transition to democracy;

“(4) has undertaken significant market-based economic reforms, including privatization, the reduction of government subsidies, the elimination of most price controls and virtually all import tariffs, and the closing of insolvent banks;

“(5) has concluded a bilateral trade treaty with the United States in 1991, and a bilateral investment treaty in 1994;

“(6) has acceded to the Agreement Establishing the World Trade Organization, and extension of unconditional normal trade relations treatment to the products of Mongolia would enable the United States to avail itself of all rights under the World Trade Organization with respect to Mongolia; and

“(7) has demonstrated a strong desire to build friendly relationships and to cooperate fully with the United States on trade matters.

“(b) TERMINATION OF APPLICATION OF TITLE IV OF THE TRADE ACT OF 1974 TO MONGOLIA.—

“(1) PRESIDENTIAL DETERMINATIONS AND EXTENSIONS OF NONDISCRIMINATORY TREATMENT.—Notwithstanding any provision of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.), the President may—

“(A) determine that such title should no longer apply to Mongolia; and

“(B) after making a determination under subparagraph (A) with respect to Mongolia, proclaim the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of that country.

“(2) TERMINATION OF APPLICATION OF TITLE IV.—On or after the effective date of the extension under paragraph (1)(B) of nondiscriminatory treatment to the products of Mongolia [Nondiscriminatory treatment extended July 1, 1999, see Proc. No. 7207, listed in the table of presidential documents below.], title IV of the Trade Act of 1974 [19 U.S.C. 2431 et seq.] shall cease to apply to that country.”

EXTENSION OF NONDISCRIMINATORY TREATMENT TO
PRODUCTS OF ROMANIA

Pub. L. 104-171, Aug. 3, 1996, 110 Stat. 1539, provided that:

“SECTION 1. FINDINGS.

“The Congress finds that—

“(1) Romania emerged from years of brutal Communist dictatorship in 1989 and approved a new Constitution and elected a Parliament by 1991, laying the foundation for a modern parliamentary democracy charged with guaranteeing fundamental human rights, freedom of expression, and respect for private property;

“(2) local elections, parliamentary elections, and presidential elections have been held in Romania, and 1996 will mark the second nationwide presidential elections under the new Constitution;

“(3) Romania has undertaken significant economic reforms, including the establishment of a two-tier banking system, the introduction of a modern tax system, the freeing of most prices and elimination of most subsidies, the adoption of a tariff-based trade regime, and the rapid privatization of industry and nearly all agriculture;

“(4) Romania concluded a bilateral investment treaty with the United States in 1993, and both United States investment in Romania and bilateral trade are increasing rapidly;

“(5) Romania has received most-favored-nation treatment since 1993, and has been found by the President to be in full compliance with the freedom of emigration requirements under title IV of the Trade Act of 1974 [19 U.S.C. 2431 et seq.];

“(6) Romania is a member of the World Trade Organization and extension of unconditional most-favored-nation treatment to the products of Romania would enable the United States to avail itself of all rights under the World Trade Organization with respect to Romania; and

“(7) Romania has demonstrated a strong desire to build friendly relationships and to cooperate fully with the United States on trade matters.

“SEC. 2. TERMINATION OF APPLICATION OF TITLE IV OF THE TRADE ACT OF 1974 TO ROMANIA.

“(a) PRESIDENTIAL DETERMINATIONS AND EXTENSION OF NONDISCRIMINATORY TREATMENT.—Notwithstanding any provision of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.), the President may—

“(1) determine that such title should no longer apply to Romania; and

“(2) after making a determination under paragraph (1), proclaim the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of that country.

“(b) TERMINATION OF APPLICATION OF TITLE IV.—On and after the effective date of the extension under subsection (a)(2) of nondiscriminatory treatment to the products of Romania [Nondiscriminatory treatment extended Nov. 12, 1996, see Proc. No. 6951, listed in the table of presidential documents below.], title IV of the Trade Act of 1974 shall cease to apply to that country.”

Pub. L. 103-133, Nov. 2, 1993, 107 Stat. 1373, provided: “That the Congress approves the extension of nondiscriminatory treatment with respect to the products of Romania transmitted by the President to the Congress on July 2, 1993.”

WITHDRAWAL OF MOST-FAVORED-NATION STATUS FROM SERBIA AND MONTENEGRO

Pub. L. 102-420, Oct. 16, 1992, 106 Stat. 2149, provided that:

“(a) FINDINGS.—The Congress finds that Serbia or Montenegro are not complying with the provisions of the Final Act of the Conference on Security and Cooperation in Europe (also known as the ‘Helsinki Final Act’), particularly the provisions regarding human rights and humanitarian affairs and are not respecting minority rights in Kosovo and Vojvodina.

“(b) WITHDRAWAL OF MFN STATUS.—Except as provided in subsection (c), nondiscriminatory treatment shall not apply with respect to any goods that—

“(1) are the product of Serbia or Montenegro; and

“(2) are entered into the customs territory of the United States on or after the 15th day after the date of the enactment of this Act [Oct. 16, 1992].

“(c) RESTORATION OF NONDISCRIMINATORY TREATMENT.—Notwithstanding subsection (b), the President may restore nondiscriminatory treatment to goods that are the product of Serbia or Montenegro, as the case may be, 30 days after he certifies to the Congress that Serbia or Montenegro, as the case may be—

“(1) has ceased its armed conflict with the other ethnic peoples of the region formerly comprising the Socialist Federal Republic of Yugoslavia;

“(2) has agreed to respect the borders of the 6 republics that comprised the Socialist Federal Republic of Yugoslavia under the 1974 Yugoslav Constitution; and

“(3) has ceased all support of Serbian forces inside Bosnia-Hercegovina.”

EXTENSION OF NONDISCRIMINATORY TREATMENT TO PRODUCTS OF REPUBLIC OF ALBANIA

Pub. L. 102-363, Aug. 26, 1992, 106 Stat. 969, provided: “That the Congress approves the extension of nondiscriminatory treatment with respect to the products of the Republic of Albania transmitted by the President to the Congress on June 16, 1992.”

EXTENSION OF NONDISCRIMINATORY TREATMENT TO PRODUCTS OF UNION OF SOVIET SOCIALIST REPUBLICS

Pub. L. 102-197, Dec. 9, 1991, 105 Stat. 1622, provided: “That the Congress approves the extension of nondiscriminatory treatment to the products of the Union of Soviet Socialist Republics transmitted by the President to the Congress on October 9, 1991.”

EXTENSION OF NONDISCRIMINATORY TREATMENT TO PRODUCTS OF CZECHOSLOVAKIA AND HUNGARY

Pub. L. 102-182, §§ 1, 2, Dec. 4, 1991, 105 Stat. 1233, provided that:

“SECTION 1. CONGRESSIONAL FINDINGS AND PREPARATORY PRESIDENTIAL ACTION.

“(a) CONGRESSIONAL FINDINGS.—The Congress finds that the Czech and Slovak Federal Republic and the Republic of Hungary both have—

“(1) dedicated themselves to respect for fundamental human rights;

“(2) accorded to their citizens the right to emigrate and to travel freely;

“(3) reversed over 40 years of communist dictatorship and embraced the establishment of political plu-

ralism, free and fair elections, and multi-party political systems;

“(4) introduced far-reaching economic reforms based on market-oriented principles and have decentralized economic decisionmaking; and

“(5) demonstrated a strong desire to build friendly relationships with the United States.

“(b) PREPARATORY PRESIDENTIAL ACTION.—The Congress notes that the President in anticipation of the enactment of section 2, has directed the United States Trade Representative to negotiate with the Czech and Slovak Federal Republic and the Republic of Hungary, respectively, in order to—

“(1) preserve the commitments of that country under the bilateral commercial agreement in effect between that country and the United States that are consistent with the General Agreement on Tariffs and Trade; and

“(2) obtain other appropriate commitments.

“SEC. 2. TERMINATION OF APPLICATION OF TITLE IV OF THE TRADE ACT OF 1974 TO CZECHOSLOVAKIA AND HUNGARY.

“(a) PRESIDENTIAL DETERMINATIONS AND EXTENSION OF NONDISCRIMINATORY TREATMENT.—Notwithstanding any provision of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.), the President may—

“(1) determine that such title should no longer apply to the Czech and Slovak Federal Republic or to the Republic of Hungary, or to both; and

“(2) after making a determination under paragraph (1) with respect to a country, proclaim the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of that country.

“(b) TERMINATION OF APPLICATION OF TITLE IV.—On and after the effective date of the extension under subsection (a)(2) of nondiscriminatory treatment to the products of a country [Nondiscriminatory treatment extended Apr. 14, 1992, see Proc. No. 6419, listed in the table of presidential documents below.], title IV of the Trade Act of 1974 shall cease to apply to that country.”

EXTENSION OF NONDISCRIMINATORY TREATMENT TO PRODUCTS OF ESTONIA, LATVIA, AND LITHUANIA

Pub. L. 102-182, title I, Dec. 4, 1991, 105 Stat. 1235, provided that:

“SEC. 101. CONGRESSIONAL FINDINGS.

“The Congress finds the following:

“(1) The Government of the United States extended full diplomatic recognition to Estonia, Latvia, and Lithuania in 1922.

“(2) The Government of the United States entered into agreements extending most-favored-nation treatment with the Government of Estonia on August 1, 1925, the Government of Latvia on April 30, 1926, and the Government of Lithuania on July 10, 1926.

“(3) The Union of Soviet Socialist Republics incorporated Estonia, Latvia, and Lithuania involuntarily into the Union as a result of a secret protocol to a German-Soviet agreement in 1939 which assigned those three states to the Soviet sphere of influence; and the Government of the United States has at no time recognized the forcible incorporation of those states into the Union of Soviet Socialist Republics.

“(4) The Trade Agreements Extension Act of 1951 [see Short Title of 1951 Amendment note set out under section 1654 of this title] required the President to suspend, withdraw, or prevent the application of trade benefits, including most-favored-nation treatment, to countries under the domination or control of the world Communist movement.

“(5) In 1951, responsible representatives of Estonia, Latvia, and Lithuania stated that they did not object to the imposition of ‘such controls as the Government of the United States may consider to be appropriate’ to the products of those countries, for such time as those countries remained under Soviet domination or control.

“(6) In 1990, the democratically elected governments of Estonia, Latvia, and Lithuania declared the

restoration of their independence from the Union of Soviet Socialist Republics.

“(7) The Government of the United States established diplomatic relations with Estonia, Latvia, and Lithuania on September 2, 1991, and on September 6, 1991, the State Council of the transitional government of the Union of Soviet Socialist Republics recognized the independence of Estonia, Latvia, and Lithuania, thereby ending the involuntary incorporation of those countries into, and the domination of those countries by, the Soviet Union.

“(8) Immediate action should be taken to remove the impediments, imposed in response to the circumstances referred to in paragraph (5), in United States trade laws to the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of those countries.

“(9) As a consequence of establishment of United States diplomatic relations with Estonia, Latvia, and Lithuania, these independent countries are eligible to receive the benefits of the Generalized System of Preferences provided for in title V of the Trade Act of 1974 [19 U.S.C. 2461 et seq.].

“SEC. 102. EXTENSION OF NONDISCRIMINATORY TREATMENT TO THE PRODUCTS OF ESTONIA, LATVIA, AND LITHUANIA.

“(a) IN GENERAL.—Notwithstanding any provision of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.) or any other provision of law, nondiscriminatory treatment (most-favored-nation treatment) applies to the products of Estonia, Latvia, and Lithuania.

“(b) CONFORMING TARIFF SCHEDULE AMENDMENTS.—General Note 3(b) of the Harmonized Tariff Schedule of the United States is amended by striking out ‘Estonia’, ‘Latvia’, and ‘Lithuania’.

“(c) EFFECTIVE DATE.—Subsection (a) and the amendments made by subsection (b) apply with respect to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act [Dec. 4, 1991].

“SEC. 103. TERMINATION OF APPLICATION OF TITLE IV OF THE TRADE ACT OF 1974 TO THE BALTIMORES.

“Title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.) shall cease to apply to Estonia, Latvia, and Lithuania effective as of the 15th day after the date of the enactment of this Act [Dec. 4, 1991].

“SEC. 104. SENSE OF THE CONGRESS REGARDING PROMPT PROVISION OF GSP TREATMENT TO THE PRODUCTS OF ESTONIA, LATVIA, AND LITHUANIA.

“It is the sense of the Congress that the President should take prompt action under title V of the Trade Act of 1974 [19 U.S.C. 2461 et seq.] to provide preferential tariff treatment to the products of Estonia, Latvia, and Lithuania pursuant to the Generalized System of Preferences.”

EXTENSION OF NONDISCRIMINATORY TREATMENT TO PRODUCTS OF BULGARIA

Pub. L. 104-162, July 18, 1996, 110 Stat. 1414, provided that:

“SECTION 1. CONGRESSIONAL FINDINGS AND SUPPLEMENTAL ACTION.

“(a) CONGRESSIONAL FINDINGS.—The Congress finds that Bulgaria—

“(1) has received most-favored-nation treatment since 1991 and has been found to be in full compliance with the freedom of emigration requirements under title IV of the Trade Act of 1974 [19 U.S.C. 2431 et seq.] since 1993;

“(2) has reversed many years of Communist dictatorship and instituted a constitutional republic ruled by a democratically elected government as well as basic market-oriented reforms, including privatization;

“(3) is in the process of acceding to the General Agreement on Tariffs and Trade (GATT) and the

World Trade Organization (WTO), and extension of unconditional most-favored-nation treatment would enable the United States to avail itself of all rights under the GATT and the WTO with respect to Bulgaria; and

“(4) has demonstrated a strong desire to build friendly relationships and to cooperate fully with the United States on trade matters.

“(b) SUPPLEMENTAL ACTION.—The Congress notes that the United States Trade Representative intends to negotiate with Bulgaria in order to preserve the commitments of that country under the bilateral commercial agreement in effect between that country and the United States that are consistent with the GATT and the WTO.

“SEC. 2. TERMINATION OF APPLICATION OF TITLE IV OF THE TRADE ACT OF 1974 TO BULGARIA.

“(a) PRESIDENTIAL DETERMINATIONS AND EXTENSION OF NONDISCRIMINATORY TREATMENT.—Notwithstanding any provision of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.), the President may—

“(1) determine that such title should no longer apply to Bulgaria; and

“(2) after making a determination under paragraph (1) with respect to Bulgaria, proclaim the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of that country.

“(b) TERMINATION OF APPLICATION OF TITLE IV.—On and after the effective date of the extension under subsection (a)(2) of nondiscriminatory treatment to the products of Bulgaria [Nondiscriminatory treatment extended Oct. 1, 1996, see Proc. No. 6922, listed in the table of presidential documents below], title IV of the Trade Act of 1974 shall cease to apply to that country.”

Pub. L. 102-158, Nov. 13, 1991, 105 Stat. 1041, provided: “That the Congress approves the extension of nondiscriminatory treatment to the products of the People’s Republic of Bulgaria transmitted by the President to the Congress on June 25, 1991.”

EXTENSION OF NONDISCRIMINATORY TREATMENT TO PRODUCTS OF MONGOLIAN PEOPLE’S REPUBLIC

Pub. L. 102-157, Nov. 13, 1991, 105 Stat. 1040, provided: “That the Congress approves the extension of nondiscriminatory treatment to the products of the Mongolian People’s Republic transmitted by the President to the Congress on June 25, 1991.”

EXTENSION OF NONDISCRIMINATORY TREATMENT TO PRODUCTS OF CZECHOSLOVAKIA

Pub. L. 101-541, Nov. 8, 1990, 104 Stat. 2380, provided: “That the Congress approves the extension of nondiscriminatory treatment with respect to the products of Czechoslovakia transmitted by the President to the Congress on September 6, 1990.”

AUTHORITY OF PRESIDENT TO DENY AND TO RESTORE NONDISCRIMINATORY TRADE TREATMENT TO PRODUCTS OF AFGHANISTAN OR TO DENY OR TO RESTORE CREDITS, ETC., TO AFGHANISTAN

Pub. L. 99-190, § 118, Dec. 19, 1985, 99 Stat. 1319, provided that:

“(a) Notwithstanding any other provision of law, the President is authorized—

“(1) to deny nondiscriminatory (most-favored-nation) trade treatment to the products of Afghanistan and thereby cause such products to be subject to the rate of duty set forth in column number 2 of the Tariff Schedules of the United States, and

“(2) to deny credit, credit guarantees, and investment guarantees to, or for the benefit of, Afghanistan under any Federal program.

“(b) If the President has not denied nondiscriminatory trade treatment to the products of Afghanistan before the date that is 45 days after the date of enactment of this joint resolution [Dec. 19, 1985], the President shall submit to the Congress on such date a report which states the reasons why the President has not denied such treatment.

“(c) Notwithstanding any other provision of law, if the President takes any action under subsection (a), the President is authorized to—

“(1) restore nondiscriminatory trade treatment to the products of Afghanistan, and

“(2) extend credit, credit guarantees, and investment guarantees to, or for the benefit of, Afghanistan under any Federal program. [sic] only if the President provides written notice of such restoration or extension to the Congress at least 30 days prior to the date on which such restoration or extension takes effect.

“(d) For purposes of this joint resolution, the term ‘product of Afghanistan’ means any article which is grown, produced, or manufactured (in whole or in part) in Afghanistan.”

Similar provisions were contained in Pub. L. 99-190, §101(i) [title V, §552], Dec. 19, 1985, 99 Stat. 1291, 1314.

EXTENSION OF NONDISCRIMINATORY TREATMENT TO
PRODUCTS OF SOCIALIST REPUBLIC OF ROMANIA

S. Con. Res. 35, July 28, 1975, 89 Stat. 1202, provided: ‘That the Congress approves the extension of non-discriminatory treatment with respect to the products of the Socialist Republic of Romania transmitted by the President to the Congress on April 25, 1975.’

Executive Documents

PRESIDENTIAL DOCUMENTS RELATING TO EXTENSION OF
NONDISCRIMINATORY TRADE TREATMENT

AFGHANISTAN.—Proc. No. 7553, May 3, 2002, 67 F.R. 30535.

Determination of President of the United States, No. 93-3, Oct. 7, 1992, 57 F.R. 47557.

Proc. No. 5437, Jan. 31, 1986, 51 F.R. 4287.

ALBANIA.—Proc. No. 7326, June 29, 2000, 65 F.R. 41547.

Determination of President of the United States, No. 96-44, Aug. 27, 1996, 61 F.R. 45859.

Proc. No. 6445, June 15, 1992, 57 F.R. 26921.

Determination of President of the United States, No. 92-33, June 15, 1992, 57 F.R. 28583.

ARMENIA.—Proc. No. 7860, Jan. 7, 2005, 70 F.R. 2321.

Determination of President of the United States, No. 96-47, Aug. 27, 1996, 61 F.R. 45865.

BELARUS.—Determination of President of the United States, No. 96-15, Mar. 7, 1996, 61 F.R. 49935.

BULGARIA.—Proc. No. 6922, Sept. 27, 1996, 61 F.R. 51205.

Proc. No. 6307, June 24, 1991, 56 F.R. 29787.

Determination of President of the United States, No. 91-43, June 24, 1991, 56 F.R. 31037.

CHINA.—Proc. No. 7516, Dec. 27, 2001, 67 F.R. 479.

Determination of President of the United States, No. 98-13, Jan. 30, 1998, 63 F.R. 5857.

Determination of President of the United States, No. 96-33, June 21, 1996, 61 F.R. 32631.

Determination of President of the United States, No. 92-12, Jan. 31, 1992, 57 F.R. 19077.

Memorandum of President of the United States, Dec. 19, 1988, 53 F.R. 51217.

Memorandum of President of the United States, Dec. 23, 1982, 47 F.R. 57653.

Proc. No. 4697, Oct. 23, 1979, 44 F.R. 61161.

CZECHOSLOVAKIA.—Proc. No. 6419, Apr. 10, 1992, 57 F.R. 12865.

Determination of President of the United States, No. 92-21, Apr. 10, 1992, 57 F.R. 12863.

Proc. No. 6175, Sept. 6, 1990, 55 F.R. 37643.

Memorandum of President of the United States, Sept. 6, 1990, 55 F.R. 39259.

GEORGIA.—Proc. No. 7389, Dec. 29, 2000, 66 F.R. 703.

Determination of President of the United States, No. 96-49, Aug. 27, 1996, 61 F.R. 45869.

HUNGARY.—Proc. No. 6419, Apr. 10, 1992, 57 F.R. 12865.

Determination of President of the United States, No. 92-21, Apr. 10, 1992, 57 F.R. 12863.

Determination of President of the United States, No. 90-27, June 22, 1990, 55 F.R. 25945.

Determination of President of the United States, No. 87-15, June 23, 1987, 52 F.R. 23785.

Determination of President of the United States, No. 84-10, May 31, 1984, 49 F.R. 23025.

Determination of President of the United States, No. 81-9, June 2, 1981, 46 F.R. 29921.

Proc. No. 4560, Apr. 7, 1978, 43 F.R. 15125.

KAZAKHSTAN.—Determination of President of the United States, No. 96-16, Mar. 7, 1996, 61 F.R. 49937.

KYRGYZSTAN.—Proc. No. 7326, June 29, 2000, 65 F.R. 41547.

Determination of President of the United States, No. 96-45, Aug. 27, 1996, 61 F.R. 45861.

MOLDOVA.—Proc. No. 8920, Dec. 20, 2012, 77 F.R. 76797.

Determination of President of the United States, No. 96-48, Aug. 27, 1996, 61 F.R. 45867.

MONGOLIA.—Proc. No. 7207, July 1, 1999, 64 F.R. 36549.

Proc. No. 6308, June 24, 1991, 56 F.R. 29834.

Determination of President of the United States, No. 91-44, June 24, 1991, 56 F.R. 31039.

ROMANIA.—Proc. No. 6951, Nov. 7, 1996, 61 F.R. 58129.

Proc. No. 6577, July 2, 1993, 58 F.R. 36301.

Determination of President of the United States, No. 93-30, July 2, 1993, 58 F.R. 43785.

Proc. No. 6449, June 22, 1992, 57 F.R. 28033.

Determination of President of the United States, No. 92-34, June 22, 1992, 57 F.R. 30099.

Determination of President of the United States, No. 90-28, July 3, 1990, 55 F.R. 27797.

Determination of President of the United States, No. 87-16, June 24, 1987, 52 F.R. 23931.

Determination of President of the United States, No. 87-15, June 23, 1987, 52 F.R. 23785.

Determination of President of the United States, No. 84-10, May 31, 1984, 49 F.R. 23025.

Determination of President of the United States, No. 81-9, June 2, 1981, 46 F.R. 29921.

Proc. No. 4369, Apr. 24, 1975, 40 F.R. 18389.

RUSSIA.—Proc. No. 8920, Dec. 20, 2012, 77 F.R. 76797.

TAJIKISTAN.—Determination of President of the United States, No. 97-7, Nov. 26, 1996, 61 F.R. 63695.

TURKMENISTAN.—Determination of President of the United States, No. 97-5, Nov. 20, 1996, 61 F.R. 59303.

UKRAINE.—Proc. No. 7995, Mar. 31, 2006, 71 F.R. 16969.

Determination of President of the United States, No. 96-46, Aug. 27, 1996, 61 F.R. 45863.

UNION OF SOVIET SOCIALIST REPUBLICS.—Proc. No. 6352, Oct. 9, 1991, 56 F.R. 51317.

Proc. No. 6320, Aug. 2, 1991, 56 F.R. 37407.

Determination of President of the United States, No. 91-47, Aug. 2, 1991, 56 F.R. 40741.

UZBEKISTAN.—Determination of President of the United States, No. 97-6, Nov. 26, 1996, 61 F.R. 63693.

VIETNAM.—Proc. No. 8096, Dec. 29, 2006, 72 F.R. 451.

Determination of President of the United States, No. 2005-11, Dec. 10, 2004, 69 F.R. 76587.

Proc. No. 7449, June 8, 2001, 66 F.R. 31375.

Determination of President of the United States, No. 2001-18, June 8, 2001, 66 F.R. 34333.

§ 2435. Commercial agreements

(a) Presidential authority

Subject to the provisions of subsections (b) and (c) of this section, the President may authorize the entry into force of bilateral commercial agreements providing nondiscriminatory treatment to the products of countries heretofore denied such treatment whenever he determines that such agreements with such countries will promote the purposes of this chapter and are in the national interest.

(b) Terms of agreements

Any such bilateral commercial agreement shall—

(1) be limited to an initial period specified in the agreement which shall be no more than 3 years from the date the agreement enters into force; except that it may be renewable for ad-