

Sec.

SUBCHAPTER V—MISCELLANEOUS PROVISIONS

PART A—PROVISIONS RELATING TO PERFORMANCE
UNDER AGREEMENT

3461 to 3463. Repealed.

PART B—IMPLEMENTATION OF NAFTA SUPPLEMENTAL
AGREEMENTS

3471. Repealed.
 3472. Agreement on Environmental Cooperation.
 3473. Agreement on Border Environment Cooperation Commission.

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 Repealed.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

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

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

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 is repealed, effective on the date on which the USMCA enters into force [July 1, 2020].”

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

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 103–182, § 1(a), Dec. 8, 1993, 107 Stat. 2057, which provided that Pub. L. 103–182 could be cited as the “North American Free Trade Agreement Implementation Act”, was repealed by Pub. L. 116–113, title VI, § 601, Jan. 29, 2020, 134 Stat. 78, effective on the date the USMCA entered into force (July 1, 2020).

SUBCHAPTER I—APPROVAL OF, AND GENERAL PROVISIONS RELATING TO, NORTH
AMERICAN FREE TRADE AGREEMENT**§§ 3311 to 3317. Repealed. Pub. L. 116–113, title VI, § 601, Jan. 29, 2020, 134 Stat. 78**

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

Section 3312, Pub. L. 103–182, title I, § 102, Dec. 8, 1993, 107 Stat. 2062; Pub. L. 117–286, § 4(a)(141), Dec. 27, 2022, 136 Stat. 4321, described the relationship of the Agreement to United States and State law.

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

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

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

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

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

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective on the date on which the USMCA entered into force (July 1, 2020), see section 601 of Pub. L.

116–113, set out as a note under former section 3301 of this title.

EFFECTIVE DATE; TERMINATION OF NAFTA STATUS

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

Executive DocumentsNORTH AMERICAN FREE TRADE AGREEMENT: ENTRY
INTO FORCE

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

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

Ex. Ord. No. 12889, Dec. 27, 1993, 58 F.R. 69681, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the North American Free Trade Agreement Implementation Act (Public Law 103–182, 107 Stat. 2057) (the NAFTA Implementation Act) [see Short Title note under former section 3301 of this title] and section 302 of title 3, United States Code, and in order to implement the North American Free Trade Agreement (NAFTA), it is hereby ordered:

SECTION 1. *Establishment of United States Section of the NAFTA Secretariat.* Pursuant to section 105(a) of the NAFTA Implementation Act [former 19 U.S.C. 3315(a)], a United States section of the NAFTA Secretariat shall be established within the Department of Commerce and shall carry out the functions set out in that section.

SEC. 2. *Acceptance by the President of Panel and Committee Decisions.* Pursuant to subparagraph 516A(g)(7)(B) of the Tariff Act of 1930, as amended, 19 U.S.C. 1516a(g)(7)(B), in the event that the provisions of that subparagraph take effect, I accept, as a whole, all decisions of binational panels and extraordinary challenge committees.

SEC. 3. *Implementation of Safeguard Provisions for Textile and Apparel Goods.* Pursuant to section 201 of the NAFTA Implementation Act [former 19 U.S.C. 3331], the Committee for the Implementation of Textile Agreements (the Committee) shall take such action as necessary to implement the bilateral safeguard provisions (tariff actions) set out in section 4 of Annex 300-B of the NAFTA. The United States Customs Service shall take such actions to carry out those safeguard provisions as directed by the Secretary of the Treasury, upon the advice and recommendation of the Chairman of the Committee.

SEC. 4. *Publication of Proposed Rules regarding Technical Regulations and Sanitary and Phytosanitary Measures.* (a) In accordance with Articles 718 and 909 of the NAFTA, each agency subject to the provisions of the Administrative Procedure Act, as amended (5 U.S.C. 551 et seq.), shall, in applying section 553 of title 5, United States Code, with respect to any proposed Federal technical regulation or any Federal sanitary or phytosanitary measure of general application, other than a regulation issued pursuant to section 104(a) of the NAFTA Implementation Act [former 19 U.S.C. 3314(a)], publish or serve notice of such regulation or measure not less than 75 days before the comment due date, except:

- (1) in the case of a technical regulation relating to perishable goods, in which case the agency shall, to