

and Border Protection facilities to backfill U.S. Customs and Border Protection officers to be stationed at an airport in a foreign country to conduct preclearance operations; and

(B) visits to the airport authority conducted by U.S. Customs and Border Protection personnel necessary to prepare for the establishment or maintenance of preclearance operations at such airport, including the compensation, travel expenses, and allowances payable to such personnel attributable to such visits.

(2) Exception

The costs described in paragraph (1)(A) shall not include the salaries and benefits of new U.S. Customs and Border Protection officers once such officers are permanently stationed at a domestic United States port of entry or other domestic U.S. Customs and Border Protection facility after being hired, trained, and equipped.

(e) Rule of construction

Except as otherwise provided in this section, nothing in this section may be construed as affecting the responsibilities, duties, or authorities of U.S. Customs and Border Protection.

(Pub. L. 114–125, title VIII, § 817, Feb. 24, 2016, 130 Stat. 220.)

REFERENCES IN TEXT

This subchapter, referred to in subsec. (c)(3), was in the original “this subtitle”, meaning subtitle B (§§ 811–819) of title VIII of Pub. L. 114–125, which is classified principally to this subchapter. For complete classification of subtitle B to the Code, see Short Title note set out under section 4301 of this title and Tables.

§ 4436. Application to new and existing preclearance operations

Except for sections 814(d) [19 U.S.C. 4433(d)], 815, 817 [19 U.S.C. 4435], and 818, this subchapter shall only apply to the establishment of preclearance operations in a foreign country in which no preclearance operations have been established as of February 24, 2016.

(Pub. L. 114–125, title VIII, § 819, Feb. 24, 2016, 130 Stat. 222.)

REFERENCES IN TEXT

Sections 815 and 818, referred to in text, are sections 815 and 818 of Pub. L. 114–125. Section 815 amended section 44901 of Title 49, Transportation. Section 818 amended section 8311 of Title 7, Agriculture, and section 1356 of Title 8, Aliens and Nationality.

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SUBCHAPTER VIII—MISCELLANEOUS PROVISIONS

§ 4451. Report on certain U.S. Customs and Border Protection agreements

(a) In general

Not later than one year after entering into an agreement under a program specified in sub-

section (b), and annually thereafter until the termination of the program, the Commissioner shall submit to the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Ways and Means and the Committee on Homeland Security of the House of Representatives a report that includes the following:

(1) A description of the development of the program, including an identification of the authority under which the program operates.

(2) A description of the type of entity with which U.S. Customs and Border Protection entered into the agreement and the amount that entity reimbursed U.S. Customs and Border Protection under the agreement.

(3) An identification of the type of port of entry to which the agreement relates and an assessment of how the agreement provides economic benefits and security benefits (if applicable) at the port of entry.

(4) A description of the services provided by U.S. Customs and Border Protection under the agreement during the year preceding the submission of the report.

(5) The amount of fees collected under the agreement during that year.

(6) The total operating expenses of the program during that year.

(7) A detailed accounting of how the fees collected under the agreement have been spent during that year.

(8) A summary of any complaints or criticism received by U.S. Customs and Border Protection during that year regarding the agreement.

(9) An assessment of the compliance of the entity described in paragraph (2) with the terms of the agreement.

(10) Recommendations with respect to how activities conducted pursuant to the agreement could function more effectively or better produce economic benefits and security benefits (if applicable).

(11) A summary of the benefits to and challenges faced by U.S. Customs and Border Protection and the entity described in paragraph (2) under the agreement.

(12) If the entity described in paragraph (2) is an operator of an airport—

(A) a detailed account of the revenue collected by U.S. Customs and Border Protection at the airport from—

(i) fees collected under the agreement; and

(ii) fees collected from sources other than under the agreement, including fees paid by passengers and air carriers; and

(B) an assessment of the revenue described in subparagraph (A) compared with the operating costs of U.S. Customs and Border Protection at the airport.

(b) Program specified

A program specified in this subsection is—

(1) the program for entering into reimbursable fee agreements for the provision of U.S. Customs and Border Protection services established by section 560 of the Department of Homeland Security Appropriations Act, 2013 (division D of Public Law 113–6; 127 Stat. 378);