

vate sector to enhance trade enforcement and trade facilitation.

(c) Consultations

(1) In general

In developing the joint strategic plan required under this section, the Commissioner and the Director of U.S. Immigration and Customs Enforcement shall consult with—

(A) appropriate officials from relevant Federal agencies, including—

- (i) the Department of the Treasury;
- (ii) the Department of Agriculture;
- (iii) the Department of Commerce;
- (iv) the Department of Justice;
- (v) the Department of the Interior;
- (vi) the Department of Health and Human Services;
- (vii) the Food and Drug Administration;
- (viii) the Consumer Product Safety Commission; and
- (ix) the Office of the United States Trade Representative; and

(B) the Commercial Customs Operations Advisory Committee established by section 4316 of this title.

(2) Other consultations

In developing the joint strategic plan required under this section, the Commissioner and the Director shall seek to consult with—

- (A) appropriate officials from relevant foreign law enforcement agencies and international organizations, including the World Customs Organization; and
- (B) interested parties in the private sector.

(d) Form of plan

The joint strategic plan required under this section shall be submitted in unclassified form, but may include a classified annex.

(Pub. L. 114–125, title I, §105, Feb. 24, 2016, 130 Stat. 132.)

§ 4315. Consultations with respect to mutual recognition arrangements

(a) Consultations

The Secretary of Homeland Security, with respect to any proposed mutual recognition arrangement or similar agreement between the United States and a foreign government providing for mutual recognition of supply chain security programs and customs revenue functions, shall consult with the appropriate congressional committees—

- (1) not later than 30 days before initiating negotiations to enter into any such arrangement or similar agreement; and
- (2) not later than 30 days before entering into any such arrangement or similar agreement.

(b) Negotiating objective

It shall be a negotiating objective of the United States in any negotiation for a mutual recognition arrangement or similar agreement with a foreign country on partnership programs, such as the Customs–Trade Partnership Against Terrorism established under subtitle B of title II of the Security and Accountability for Every

Port Act of 2006 (6 U.S.C. 961 et seq.), to seek to ensure the compatibility of the partnership programs of that country with the partnership programs of U.S. Customs and Border Protection to enhance security, trade facilitation, and trade enforcement.

(Pub. L. 114–125, title I, §108, Feb. 24, 2016, 130 Stat. 135.)

REFERENCES IN TEXT

The Security and Accountability for Every Port Act of 2006, referred to in subsec. (b), is Pub. L. 109–347, Oct. 13, 2006, 120 Stat. 1884, also known as the SAFE Port Act. Subtitle B of title II of the Act is classified generally to part B (§961 et seq.) of subchapter II of chapter 3 of Title 6, Domestic Security. For complete classification of this Act to the Code, see Short Title note set out under section 901 of Title 6 and Tables.

§ 4316. Commercial Customs Operations Advisory Committee

(a) Establishment

Not later than the date that is 60 days after February 24, 2016, the Secretary of the Treasury and the Secretary of Homeland Security shall jointly establish a Commercial Customs Operations Advisory Committee (in this section referred to as the “Advisory Committee”).

(b) Membership

(1) In general

The Advisory Committee shall be comprised of—

- (A) 20 individuals appointed under paragraph (2);
- (B) the Assistant Secretary for Tax Policy of the Department of the Treasury and the Commissioner, who shall jointly co-chair meetings of the Advisory Committee; and
- (C) the Assistant Secretary for Policy and the Director of U.S. Immigration and Customs Enforcement, who shall serve as deputy co-chairs of meetings of the Advisory Committee.

(2) Appointment

(A) In general

The Secretary of the Treasury and the Secretary of Homeland Security shall jointly appoint 20 individuals from the private sector to the Advisory Committee.

(B) Requirements

In making appointments under subparagraph (A), the Secretary of the Treasury and the Secretary of Homeland Security shall appoint members—

- (i) to ensure that the membership of the Advisory Committee is representative of the individuals and firms affected by the commercial operations of U.S. Customs and Border Protection; and
- (ii) without regard to political affiliation.

(C) Terms

Each individual appointed to the Advisory Committee under this paragraph shall be appointed for a term of not more than 3 years, and may be reappointed to subsequent terms, but may not serve more than 2 terms sequentially.