

environmental statutes and regulations enforceable by action of the Federal Government.

**(11) GATT 1994**

The term “GATT 1994” has the meaning given that term in section 3501 of this title.

**(12) General Agreement on Trade in Services**

The term “General Agreement on Trade in Services” means the General Agreement on Trade in Services (referred to in section 3511(d)(14) of this title).

**(13) Government Procurement Agreement**

The term “Government Procurement Agreement” means the Agreement on Government Procurement referred to in section 3511(d)(17) of this title.

**(14) ILO**

The term “ILO” means the International Labor Organization.

**(15) Import sensitive agricultural product**

The term “import sensitive agricultural product” means an agricultural product—

(A) with respect to which, as a result of the Uruguay Round Agreements, the rate of duty was the subject of tariff reductions by the United States and, pursuant to such Agreements, was reduced on January 1, 1995, to a rate that was not less than 97.5 percent of the rate of duty that applied to such article on December 31, 1994; or

(B) which was subject to a tariff rate quota on June 29, 2015.

**(16) Information Technology Agreement**

The term “Information Technology Agreement” means the Ministerial Declaration on Trade in Information Technology Products of the World Trade Organization, agreed to at Singapore December 13, 1996.

**(17) Internationally recognized core labor standards**

The term “internationally recognized core labor standards” means the core labor standards only as stated in the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-Up (1998).

**(18) Labor laws**

The term “labor laws” means the statutes and regulations, or provisions thereof, of a party to the negotiations that are directly related to core labor standards as well as other labor protections for children and minors and acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health, and for the United States, includes Federal statutes and regulations addressing those standards, protections, or conditions, but does not include State or local labor laws.

**(19) United States person**

The term “United States person” means—

(A) a United States citizen;

(B) a partnership, corporation, or other legal entity that is organized under the laws of the United States; and

(C) a partnership, corporation, or other legal entity that is organized under the laws

of a foreign country and is controlled by entities described in subparagraph (B) or United States citizens, or both.

**(20) Uruguay Round Agreements**

The term “Uruguay Round Agreements” has the meaning given that term in section 3501(7) of this title.

**(21) World Trade Organization; WTO**

The terms “World Trade Organization” and “WTO” mean the organization established pursuant to the WTO Agreement.

**(22) WTO Agreement**

The term “WTO Agreement” means the Agreement Establishing the World Trade Organization entered into on April 15, 1994.

**(23) WTO member**

The term “WTO member” has the meaning given that term in section 3501(10) of this title.

(Pub. L. 114-26, title I, §111, June 29, 2015, 129 Stat. 358.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title I of Pub. L. 114-26, June 29, 2015, 129 Stat. 320, which is classified principally to this chapter. For complete classification of title I to the Code, see Short Title note set out under section 4201 of this title and Tables.

**CHAPTER 28—TRADE FACILITATION AND TRADE ENFORCEMENT**

Sec.

4301. Definitions.

SUBCHAPTER I—TRADE FACILITATION AND TRADE ENFORCEMENT

4311. Improving partnership programs.  
 4312. Priorities and performance standards for customs modernization, trade facilitation, and trade enforcement functions and programs.  
 4313. Educational seminars to improve efforts to classify and appraise imported articles, to improve trade enforcement efforts, and to otherwise facilitate legitimate international trade.  
 4314. Joint strategic plan.  
 4315. Consultations with respect to mutual recognition arrangements.  
 4316. Commercial Customs Operations Advisory Committee.  
 4317. Centers of Excellence and Expertise.  
 4318. Commercial risk assessment targeting and trade alerts.  
 4319. Report on oversight of revenue protection and enforcement measures.  
 4320. Importer of record program.  
 4321. Establishment of importer risk assessment program.  
 4322. Priority trade issues.  
 4323. Appropriate congressional committees defined.

SUBCHAPTER II—IMPORT HEALTH AND SAFETY

4331. Interagency Import Safety Working Group.  
 4332. Joint import safety rapid response plan.  
 4333. Training.

SUBCHAPTER III—IMPORT-RELATED PROTECTION OF INTELLECTUAL PROPERTY RIGHTS

4341. Definition of intellectual property rights.  
 4342. Notification of persons injured by circumvention devices.  
 4343. Enforcement by U.S. Customs and Border Protection of works for which copyright registration is pending.

- Sec.
- 4344. National Intellectual Property Rights Coordination Center.
- 4345. Joint strategic plan for the enforcement of intellectual property rights.
- 4346. Personnel dedicated to the enforcement of intellectual property rights.
- 4347. Training with respect to the enforcement of intellectual property rights.
- 4348. International cooperation and information sharing.
- 4349. Report on intellectual property rights enforcement.
- 4350. Information for travelers regarding violations of intellectual property rights.

SUBCHAPTER IV—PREVENTION OF EVASION OF ANTIDUMPING AND COUNTERVAILING DUTY ORDERS

- 4361. Definitions.
- 4362. Application to Canada and Mexico.

PART I—ACTIONS RELATING TO ENFORCEMENT OF TRADE REMEDY LAWS

- 4371. Trade Remedy Law Enforcement Division.
- 4372. Collection of information on evasion of trade remedy laws.
- 4373. Additional information.
- 4374. Cooperation with foreign countries on preventing evasion of trade remedy laws.
- 4375. Trade negotiating objectives.

PART II—OTHER MATTERS

- 4391. Allocation and training of personnel.
- 4392. Annual report on prevention and investigation of evasion of antidumping and countervailing duty orders.

SUBCHAPTER V—ADDITIONAL ENFORCEMENT PROVISIONS

- 4401. Inclusion of interest in certain distributions of antidumping duties and countervailing duties.
- 4402. Illicitly imported, exported, or trafficked cultural property, archaeological or ethnological materials, and fish, wildlife, and plants.
- 4403. Honey transshipment.
- 4404. Report on actions taken by United States Trade Representative.
- 4405. Trade Enforcement Trust Fund.

SUBCHAPTER VI—ENGAGEMENT ON CURRENCY EXCHANGE RATE AND ECONOMIC POLICIES

- 4421. Enhancement of engagement on currency exchange rate and economic policies with certain major trading partners of the United States.
- 4422. Advisory Committee on International Exchange Rate Policy.

SUBCHAPTER VII—PRECLEARANCE OPERATIONS

- 4431. Definitions.
- 4432. Establishment of preclearance operations.
- 4433. Notification and certification to Congress.
- 4434. Lost and stolen passports.
- 4435. Recovery of initial U.S. Customs and Border Protection preclearance operations costs.
- 4436. Application to new and existing preclearance operations.

SUBCHAPTER VIII—MISCELLANEOUS PROVISIONS

- 4451. Report on certain U.S. Customs and Border Protection agreements.
- 4452. United States-Israel trade and commercial enhancement.
- 4453. Report on compliance with prohibition on importation of goods made with convict, forced, or indentured labor.
- 4454. Trade preferences for Nepal.

§ 4301. Definitions

In this chapter:

(1) Automated Commercial Environment

The term “Automated Commercial Environment” means the Automated Commercial Environment computer system authorized under section 58c(f)(4) of this title.

(2) Commercial operations of U.S. Customs and Border Protection

The term “commercial operations of U.S. Customs and Border Protection” includes—

- (A) administering any customs revenue function (as defined in section 215 of title 6);
- (B) coordinating efforts of the Department of Homeland Security with respect to trade facilitation and trade enforcement;
- (C) coordinating with the Director of U.S. Immigration and Customs Enforcement with respect to—

- (i) investigations relating to trade enforcement; and
- (ii) the development and implementation of the joint strategic plan required by section 4314 of this title;

(D) coordinating, on behalf of the Department of Homeland Security, efforts among Federal agencies to facilitate legitimate trade and to enforce the customs and trade laws of the United States, including representing the Department of Homeland Security in interagency fora addressing such efforts;

(E) coordinating with customs authorities of foreign countries to facilitate legitimate international trade and enforce the customs and trade laws of the United States and the customs and trade laws of foreign countries;

(F) collecting, assessing, and disseminating information as appropriate and in accordance with any law regarding cargo destined for the United States—

- (i) to ensure that such cargo complies with the customs and trade laws of the United States; and
- (ii) to facilitate the legitimate international trade of such cargo;

(G) soliciting and considering on a regular basis input from private sector entities, including the Commercial Customs Operations Advisory Committee established by section 4316 of this title and the Trade Support Network, with respect to, as appropriate—

- (i) the implementation of changes to the customs and trade laws of the United States; and
- (ii) the development, implementation, or revision of policies or regulations administered by U.S. Customs and Border Protection; and

(H) otherwise advising the Secretary of Homeland Security with respect to the development of policies associated with facilitating legitimate trade and enforcing the customs and trade laws of the United States.

(3) Commissioner

The term “Commissioner” means the Commissioner of U.S. Customs and Border Protection, as described in section 211(b) of title 6.