

(Pub. L. 114–125, title I, §101, Feb. 24, 2016, 130 Stat. 127.)

Editorial Notes

REFERENCES IN TEXT

The Security and Accountability for Every Port Act of 2006, referred to in subsec. (a), 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.

§ 4312. Priorities and performance standards for customs modernization, trade facilitation, and trade enforcement functions and programs

(a) Priorities and performance standards

(1) In general

The Commissioner, in consultation with the appropriate congressional committees, shall establish priorities and performance standards to measure the development and levels of achievement of the customs modernization, trade facilitation, and trade enforcement functions and programs described in subsection (b).

(2) Minimum priorities and standards

Such priorities and performance standards shall, at a minimum, include priorities and standards relating to efficiency, outcome, output, and other types of applicable measures.

(b) Functions and programs described

The functions and programs referred to in subsection (a) are the following:

- (1) The Automated Commercial Environment.
- (2) Each of the priority trade issues described in section 4322 of this title.
- (3) The Centers of Excellence and Expertise described in section 4317 of this title.
- (4) Drawback for exported merchandise under section 313 of the Tariff Act of 1930 (19 U.S.C. 1313), as amended by section 906 of this Act.
- (5) Transactions relating to imported merchandise in bond.
- (6) Collection of countervailing duties assessed under subtitle A of title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) and anti-dumping duties assessed under subtitle B of title VII of the Tariff Act of 1930 (19 U.S.C. 1673 et seq.).
- (7) The expedited clearance of cargo.
- (8) The issuance of regulations and rulings.
- (9) The issuance of Regulatory Audit Reports.

(c) Consultations and notification

(1) Consultations

The consultations required by subsection (a)(1) shall occur, at a minimum, on an annual basis.

(2) Notification

The Commissioner shall notify the appropriate congressional committees of any changes to the priorities or performance standards referred to in subsection (a) not

later than 30 days before such changes are to take effect.

(Pub. L. 114–125, title I, §103, Feb. 24, 2016, 130 Stat. 129.)

Editorial Notes

REFERENCES IN TEXT

The Tariff Act of 1930, referred to in subsec. (b)(4), (6), is act June 17, 1930, ch. 497, 46 Stat. 590. Section 313 of the Tariff Act of 1930, as amended by section 906 of this Act, is section 1313 of this title, as amended by section 906 of Pub. L. 114–125. Subtitles A and B of title VII of the Act are classified generally to parts I (§1671 et seq.) and II (§1673 et seq.), respectively, of subtitle IV of chapter 4 of this title. For complete classification of this Act to the Code, see section 1654 of this title and Tables.

§ 4313. Educational seminars to improve efforts to classify and appraise imported articles, to improve trade enforcement efforts, and to otherwise facilitate legitimate international trade

(a) Establishment

The Commissioner and the Director shall establish and carry out on a fiscal year basis educational seminars to—

- (1) improve the ability of personnel of U.S. Customs and Border Protection to classify and appraise articles imported into the United States in accordance with the customs and trade laws of the United States;
- (2) improve the trade enforcement efforts of personnel of U.S. Customs and Border Protection and personnel of U.S. Immigration and Customs Enforcement; and
- (3) otherwise improve the ability and effectiveness of personnel of U.S. Customs and Border Protection and personnel of U.S. Immigration and Customs Enforcement to facilitate legitimate international trade.

(b) Content

(1) Classifying and appraising imported articles

In carrying out subsection (a)(1), the Commissioner, the Director, and interested parties in the private sector selected under subsection (c) shall provide instruction and related instructional materials at each educational seminar carried out under this section to personnel of U.S. Customs and Border Protection and, as appropriate, to personnel of U.S. Immigration and Customs Enforcement on the following:

- (A) Conducting a physical inspection of an article imported into the United States, including testing of samples of the article, to determine if the article is mislabeled in the manifest or other accompanying documentation.
- (B) Reviewing the manifest and other accompanying documentation of an article imported into the United States to determine if the country of origin of the article listed in the manifest or other accompanying documentation is accurate.
- (C) Customs valuation.
- (D) Industry supply chains and other related matters as determined to be appropriate by the Commissioner.