

**Editorial Notes**

## REFERENCES IN TEXT

This subchapter, referred to in text, was in the original “this title”, meaning title IV of Pub. L. 114-125, Feb. 24, 2016, 130 Stat. 155, which is classified principally to this subchapter. For complete classification of title IV to the Code, see section 401 of Pub. L. 114-125, set out as a Short Title note under section 4301 of this title and Tables.

The Tariff Act of 1930, referred to in par. (7), is act June 17, 1930, ch. 497, 46 Stat. 590. Title VII of the Act is classified generally to subtitle IV (§1671 et seq.) of chapter 4 of this title. For complete classification of this Act to the Code, see section 1654 of this title and Tables.

**§ 4362. Application to Canada and Mexico**

Pursuant to article 10.10 of the USMCA (as defined in section 4502 of this title) and section 4588 of this title, this subchapter and the amendments made by this title<sup>1</sup> shall apply with respect to goods from Canada and Mexico.

(Pub. L. 114-125, title IV, §403, Feb. 24, 2016, 130 Stat. 156; Pub. L. 116-260, div. O, title VI, §602(c), Dec. 27, 2020, 134 Stat. 2153.)

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The amendments made by this title, referred to in text, mean the amendments made by title IV of Pub. L. 114-125, Feb. 24, 2016, 130 Stat. 155. For complete classification of title IV to the Code, see section 401 of Pub. L. 114-125, set out as a Short Title note under section 4301 of this title and Tables.

## AMENDMENTS

2020—Pub. L. 116-260 substituted “article 10.10 of the USMCA (as defined in section 4502 of this title) and section 4588 of this title” for “article 1902 of the North American Free Trade Agreement and section 3438 of this title”.

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE OF 2020 AMENDMENT

Amendment by Pub. L. 116-260 effective July 1, 2020, see section 602(g) of div. O of Pub. L. 116-260, set out as a note under section 2578b of this title.

## PART I—ACTIONS RELATING TO ENFORCEMENT OF TRADE REMEDY LAWS

**§ 4371. Trade Remedy Law Enforcement Division****(a) Establishment****(1) In general**

The Secretary of Homeland Security shall establish and maintain within the Office of Trade established under section 2084 of this title a Trade Remedy Law Enforcement Division.

**(2) Composition**

The Trade Remedy Law Enforcement Division shall be composed of—

(A) headquarters personnel led by a Director, who shall report to the Executive Assistant Commissioner of the Office of Trade; and

(B) a National Targeting and Analysis Group dedicated to preventing and countering evasion.

**(3) Duties**

The Trade Remedy Law Enforcement Division shall be dedicated—

(A) to the development and administration of policies to prevent and counter evasion, including policies relating to the implementation of section 1517 of this title;

(B) to direct enforcement and compliance assessment activities concerning evasion;

(C) to the development and conduct of commercial risk assessment targeting with respect to cargo destined for the United States in accordance with subsection (c);

(D) to issuing Trade Alerts described in subsection (d); and

(E) to the development of policies for the application of single entry and continuous bonds for entries of covered merchandise to sufficiently protect the collection of anti-dumping and countervailing duties commensurate with the level of risk of noncollection.

**(b) Duties of Director**

The duties of the Director of the Trade Remedy Law Enforcement Division shall include—

(1) directing the trade enforcement and compliance assessment activities of U.S. Customs and Border Protection that concern evasion;

(2) facilitating, promoting, and coordinating cooperation and the exchange of information between U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and other relevant Federal agencies regarding evasion;

(3) notifying on a timely basis the administering authority (as defined in section 1677(1) of this title) and the Commission (as defined in section 1677(2) of this title) of any finding, determination, civil action, or criminal action taken by U.S. Customs and Border Protection or other Federal agency regarding evasion;

(4) serving as the primary liaison between U.S. Customs and Border Protection and the public regarding activities concerning evasion, including activities relating to investigations conducted under section 1517 of this title, which include—

(A) receiving allegations of evasion from parties, including allegations described in section 1517(b)(2) of this title;

(B) upon request by the party or parties that submitted such an allegation of evasion, providing information to such party or parties on the status of U.S. Customs and Border Protection’s consideration of the allegation and decision to pursue or not pursue any administrative inquiries or other actions, such as changes in policies, procedures, or resource allocation as a result of the allegation;

(C) as needed, requesting from the party or parties that submitted such an allegation of evasion any additional information that

<sup>1</sup> See References in Text note below.