

(f) Staff

The Secretary of the Treasury shall make available to the Committee such staff, information, personnel, administrative services, and assistance as the Committee may reasonably require to carry out the activities of the Committee.

(g) Application of the Federal Advisory Committee Act**(1) In general**

Except as provided in paragraph (2), the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Committee.

(2) Exception

Meetings of the Committee shall be exempt from the requirements of subsections (a) and (b) of section 10 and section 11 of the Federal Advisory Committee Act (relating to open meetings, public notice, public participation, and public availability of documents), whenever and to the extent it is determined by the President or the Secretary of the Treasury that such meetings will be concerned with matters the disclosure of which—

(A) would seriously compromise the development by the Government of the United States of monetary or financial policy; or

(B) is likely to—

(i) lead to significant financial speculation in currencies, securities, or commodities; or

(ii) significantly endanger the stability of any financial institution.

(h) Authorization of appropriations

There are authorized to be appropriated to the Secretary of the Treasury for each fiscal year in which the Committee is in effect \$1,000,000 to carry out this section.

(Pub. L. 114–125, title VII, § 702, Feb. 24, 2016, 130 Stat. 198.)

Editorial Notes

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (g), is Pub. L. 92–463, Oct. 6, 1972, 86 Stat. 770, which is set out in the Appendix to Title 5, Government Organization and Employees.

SUBCHAPTER VII—PRECLEARANCE OPERATIONS

§ 4431. Definitions

In this subchapter:

(1) Appropriate congressional committees

The term “appropriate congressional committees” means—

(A) the Committee on Homeland Security and Governmental Affairs, the Committee on Finance, the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate; and

(B) the Committee on Homeland Security, the Committee on Ways and Means, and the Committee on Appropriations of the House of Representatives.

(2) Secretary

The term “Secretary” means the Secretary of Homeland Security.

(Pub. L. 114–125, title VIII, § 812, Feb. 24, 2016, 130 Stat. 217.)

Editorial Notes

REFERENCES IN TEXT

This subchapter, referred to in text, 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.

§ 4432. Establishment of preclearance operations

Pursuant to section 1629 of this title and section 1103(a)(7) of title 8, and provided that an aviation security preclearance agreement (as defined in section 44901(d)(4)(B)¹ of title 49) is in effect, the Secretary may establish and maintain U.S. Customs and Border Protection preclearance operations in a foreign country—

(1) to prevent terrorists, instruments of terrorism, and other security threats from entering the United States;

(2) to prevent inadmissible persons from entering the United States;

(3) to ensure that merchandise destined for the United States complies with applicable laws;

(4) to ensure the prompt processing of persons eligible to travel to the United States; and

(5) to accomplish such other objectives as the Secretary determines are necessary to protect the United States.

(Pub. L. 114–125, title VIII, § 813, Feb. 24, 2016, 130 Stat. 217.)

Editorial Notes

REFERENCES IN TEXT

Section 44901(d)(4)(B) of title 49, referred to in text, was redesignated section 44901(d)(2)(B) of title 49 by Pub. L. 115–254, div. K, title I, § 1991(d)(1)(C)(iii), Oct. 5, 2018, 132 Stat. 3628.

§ 4433. Notification and certification to Congress**(a) Initial notification**

Not later than 60 days before an agreement with the government of a foreign country to establish U.S. Customs and Border Protection preclearance operations in such foreign country enters into force, the Secretary shall provide the appropriate congressional committees with—

(1) a copy of the agreement to establish such preclearance operations, which shall include—

(A) the identification of the foreign country with which U.S. Customs and Border Protection intends to enter into a preclearance agreement;

(B) the location at which such preclearance operations will be conducted; and

(C) the terms and conditions for U.S. Customs and Border Protection personnel operating at the location;

(2) an assessment of the impact such preclearance operations will have on legiti-

¹ See References in Text note below.