

119TH CONGRESS
1ST SESSION

S. 956

To facilitate the entry and processing of merchandise and trade enforcement,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 11 (legislative day, MARCH 10), 2025

Mr. CASSIDY (for himself and Ms. CORTEZ MASTO) introduced the following
bill; which was read twice and referred to the Committee on Finance

A BILL

To facilitate the entry and processing of merchandise and
trade enforcement, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Customs Facilitation Act of 2025”.

6 (b) **TABLE OF CONTENTS.**—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—ONE UNITED STATES GOVERNMENT AT THE BORDER

Sec. 101. Border Interagency Executive Council.

Sec. 102. Establishment of single window import and export cargo processing
release system.

- Sec. 103. Continued modernization of the Automated Commercial Environment.
 Sec. 104. Authorization of appropriations for uniform system for processing
 and release of cargo.

TITLE II—MODERNIZING CUSTOMS PROCESSES

- Sec. 201. Simplification of drawback procedures.
 Sec. 202. Streamlined export processes.
 Sec. 203. Treatment of clerical errors in submission of export data.
 Sec. 204. Government Accountability Office report on fee schedule of U.S. Customs and Border Protection.
 Sec. 205. Improvements to Centers of Excellence and Expertise.

TITLE III—IMPROVING CUSTOMS DATA AND TRANSPARENCY

- Sec. 301. Requirements for regulations relating to data collection for trade enforcement and facilitation.
 Sec. 302. Updates to U.S. Customs and Border Protection website and Customs-Trade Partnership Against Terrorism Trade Compliance Handbook.
 Sec. 303. Establishment of deadlines for agency responses to trade community requests.
 Sec. 304. Accessibility of contact information of representatives of U.S. Customs and Border Protection and Centers of Excellence and Expertise.

1 **TITLE I—ONE UNITED STATES** 2 **GOVERNMENT AT THE BORDER** 3 **SEC. 101. BORDER INTERAGENCY EXECUTIVE COUNCIL.**

4 (a) ESTABLISHMENT.—There is established an inter-
 5 agency working group, to be known as the Border Inter-
 6 agency Executive Council (in this section referred to as
 7 the “Council”), to serve as an interagency forum to facili-
 8 tate the development of policies and processes to enhance
 9 coordination across customs, transport security, health
 10 and safety, sanitary, conservation, trade, and
 11 phytosanitary agencies with border management authori-
 12 ties—

13 (1) to measurably improve supply chain proc-
 14 esses and the identification of illicit shipments; and

1 (2) to facilitate and expedite the flow of legiti-
2 mate trade.

3 (b) OVERSIGHT.—The Secretary of Homeland Secu-
4 rity shall oversee the Council.

5 (c) CHAIRPERSON; VICE CHAIRPERSON.—

6 (1) CHAIRPERSON.—The Commissioner of U.S.
7 Customs and Border Protection or a senior-level des-
8 ignee from U.S. Customs and Border Protection
9 shall serve as the chairperson of the Council.

10 (2) VICE CHAIRPERSON.—There shall be a vice
11 chairperson of the Council, who shall be selected
12 every 2 years from among the members of the Coun-
13 cil by a process determined by the members.

14 (d) MEMBERSHIP.—

15 (1) IN GENERAL.—In addition to the chair-
16 person and vice chairperson, the Council shall in-
17 clude designated senior-level representatives who are
18 full-time or permanent part-time employees of Fed-
19 eral agencies that provide approval before merchan-
20 dise can be imported into or exported from the
21 United States, or that otherwise have the authority
22 to establish or enforce requirements relating to the
23 importation or exportation of merchandise, including
24 the following:

25 (A) The Department of State.

1 (B) The Department of the Treasury.

2 (C) The Department of Defense.

3 (D) The Department of the Interior.

4 (E) The Department of Agriculture.

5 (F) The Department of Commerce.

6 (G) The Department of Health and
7 Human Services.

8 (H) The Department of Transportation.

9 (I) The Department of Homeland Security.

10 (J) The Environmental Protection Agency.

11 (K) Such other Federal agencies, including
12 independent regulatory and quasi-judicial agen-
13 cies and commissions, as the chairperson and
14 vice chairperson consider appropriate.

15 (2) REPRESENTATIVES OF EXECUTIVE OFFICE
16 OF PRESIDENT.—The Council may also include ap-
17 propriate representatives of the Executive Office of
18 the President.

19 (3) WAIVER OF PARTICIPATION.—The Sec-
20 retary of Homeland Security may waive the partici-
21 pation, in whole or in part, of representatives of any
22 agency specified in paragraph (1) in the Council if
23 the Secretary considers it appropriate.

24 (e) FUNCTIONS OF COUNCIL.—The Council shall—

1 (1) facilitate the development of common risk
2 management principles and methods to inform agen-
3 cy operations associated with the review and release
4 of cargo at the border and to support compliance
5 with applicable law;

6 (2) facilitate the development of policies and
7 processes to coordinate, improve, and accelerate
8 agency review of electronic trade-related documenta-
9 tion or information transmitted, or otherwise made
10 available, through relevant systems and provide co-
11 ordinated and streamlined responses back to users
12 to facilitate trade and support compliance with ap-
13 plicable law and international agreements;

14 (3) identify opportunities to use documentation
15 or information relating to the importation of mer-
16 chandise, including documentation or information
17 provided prior to the arrival of merchandise into the
18 customs territory of the United States or the filing
19 of an entry of merchandise with U.S. Customs and
20 Border Protection, to facilitate priority processing
21 and the expedited release of such merchandise from
22 the custody of U.S. Customs and Border Protection
23 and to reduce redundancies in the trade data that
24 each party in a supply chain is required to provide;

1 (4) identify opportunities to streamline Federal
2 Government systems and reduce costs through the
3 elimination of redundant capabilities and through
4 enhanced utilization of the capabilities of the Auto-
5 mated Commercial Environment, or any successor
6 system, as a means of improving supply chain man-
7 agement processes;

8 (5) identify opportunities to enhance whole-of-
9 Government trade processing capabilities, including
10 capabilities relating to processing cargo manifests,
11 collection of advance import and export data, uni-
12 form cargo admissibility and release processes, entry
13 summaries, and cargo financial data, in the Auto-
14 mated Commercial Environment, or any successor
15 system, that conform with the criteria for the admis-
16 sibility of merchandise of all agencies represented on
17 the Council;

18 (6) enhance uniformity, consistency, and trans-
19 parency, by facilitating the development, to the ex-
20 tent practicable and consistent with applicable law,
21 of a standard nomenclature, including definitions of
22 relevant terms, across and within the Federal agen-
23 cies represented on the Council for—

24 (A) any party in the supply chain; and

1 (B) any event related to the importation or
2 exportation of merchandise or any customs pro-
3 gram;

4 (7) engage with and consider input from the
5 trade community and other relevant stakeholders re-
6 garding opportunities to improve supply chain proc-
7 esses and the processing of imported and exported
8 merchandise, with the goal of promoting economic
9 competitiveness through enhanced trade facilitation
10 and enforcement;

11 (8) encourage other countries to develop similar
12 trade processing capabilities, including single window
13 systems, to facilitate the sharing of relevant trade
14 data, as appropriate, across governmental systems
15 and with trading partners; and

16 (9) assess opportunities to facilitate electronic
17 payment of duties, taxes, fees, and charges imposed
18 under Federal law upon entry of merchandise.

19 (f) REPORT.—

20 (1) IN GENERAL.—Not later than one year
21 after the date of the enactment of this Act, and not
22 later than December 31 of every other year there-
23 after, the Council shall make available to the public
24 a report that describes the progress that the Council

1 has made toward carrying out the functions de-
 2 scribed under subsection (e).

3 (2) PUBLIC COMMENT.—The Council shall pro-
 4 vide an opportunity for public comment on the re-
 5 port required by paragraph (1).

6 (g) CONTINUATION OF MEMBERS.—An individual
 7 serving as a member of the Border Interagency Executive
 8 Council established by Executive Order 13659 (19 U.S.C.
 9 1411 note; relating to streamlining the export/import
 10 process for America’s businesses) on the day before the
 11 date of the enactment of this Act may continue to serve
 12 as a member of the Council established by subsection (a).

13 **SEC. 102. ESTABLISHMENT OF SINGLE WINDOW IMPORT**
 14 **AND EXPORT CARGO PROCESSING RELEASE**
 15 **SYSTEM.**

16 (a) IN GENERAL.—In order to advance the national
 17 economic security, trade enforcement, and trade facilita-
 18 tion missions of U.S. Customs and Border Protection and
 19 partner government agencies of U.S. Customs and Border
 20 Protection, the Secretary of Homeland Security shall en-
 21 sure that a scalable, uniform automated platform provides
 22 a system for the processing and release of cargo being im-
 23 ported into and exported from the United States.

24 (b) ELEMENTS.—The system required by subsection
 25 (a) shall include the following elements:

1 (1) Incorporation of whole-of-Government trade
2 processing capabilities, including capabilities relating
3 to processing cargo manifests, collection of advance
4 import and export data, uniform cargo admissibility
5 and release processes, entry summaries, and cargo
6 financial data, in the Automated Commercial Envi-
7 ronment, or any successor system, to conform with
8 the admissibility criteria of—

9 (A) the Automated Commercial Environ-
10 ment, or any successor system; and

11 (B) all agencies—

12 (i) participating in the International
13 Trade Data System established under sec-
14 tion 411(d) of the Tariff Act of 1930 (19
15 U.S.C. 1411(d)); and

16 (ii) represented on the Border Inter-
17 agency Executive Council, established in
18 section 101.

19 (2) Continued collaboration with the head of
20 each agency participating in the International Trade
21 Data System to make efforts to ensure that—

22 (A) if data required by a partner govern-
23 ment agency is already available in the Auto-
24 mated Commercial Environment, or any suc-
25 cessor system, as a result of a requirement of

1 U.S. Customs and Border Protection or another
2 agency, the system will populate that data for
3 the purpose of reporting the data to the partner
4 government agency and the data will not need
5 to be reported again through a separate submis-
6 sion, unless U.S. Customs and Border Protec-
7 tion or the partner government agency deter-
8 mines an additional submission is necessary to
9 confirm the accuracy of data received from 2 or
10 more sources;

11 (B) the Automated Commercial Environ-
12 ment, or a successor system, provides a partner
13 government agency with any data that is need-
14 ed to facilitate the coordination and efficient
15 execution of inspections conducted by that part-
16 ner government agency;

17 (C) a partner government agency inter-
18 ested in obtaining import and export data and
19 conducting or directing its own inspections is
20 able to do so through the manifest and entry
21 functionality of the Automated Commercial En-
22 vironment, or a successor system, and in real
23 time when entries and manifests are submitted,
24 rather than as a redelivery process when cargo
25 may have already been delivered; and

1 (D) a partner government agency inter-
2 ested in obtaining clearance data clearly indi-
3 cates all headings and subheadings of the Har-
4 monized Tariff Schedule of the United States
5 that are subject to its jurisdiction, such that
6 the agency is identified when any such heading
7 or subheading of the Harmonized Tariff Sched-
8 ule is submitted into the Automated Commer-
9 cial Environment or a successor system.

10 (3) Any other feature determined by the Com-
11 missioner of U.S. Customs and Border Protection to
12 be necessary to substantially advance the national
13 economic security, trade enforcement, and trade fa-
14 cilitation missions of U.S. Customs and Border Pro-
15 tection and partner government agencies.

16 (c) ASSESSMENT.—

17 (1) IN GENERAL.—Not later 180 days after the
18 date of the enactment of this Act, the Commissioner
19 of U.S. Customs and Border Protection shall com-
20 plete an assessment of whether a technology solution
21 that is capable of delivering the system required by
22 subsection (a) is commercially available.

23 (2) REPORT REQUIRED.—If the Commissioner
24 decides not to acquire a commercially available tech-
25 nology to satisfy the system requirement of sub-

1 section (a), the Commissioner shall submit to Con-
 2 gress a report that includes a description of—

3 (A) if applicable, the determination that—

4 (i) developing the system required by
 5 subsection (a) is more cost effective than
 6 acquiring such system from a commercial
 7 source; and

8 (ii) a system developed by U.S. Cus-
 9 toms and Border Protection can more ade-
 10 quately address the needs of partner gov-
 11 ernment agencies and the trade community
 12 than a system acquired from a commercial
 13 source; and

14 (B) the manner by which the Commis-
 15 sioner will provide the system required by sub-
 16 section (a) within the timeline and meeting the
 17 requirements set forth in subsection (d).

18 (d) IMPLEMENTATION OF THE SYSTEM.—

19 (1) IN GENERAL.—Not later than 1 year after
 20 the date on which amounts appropriated pursuant to
 21 the authorization of appropriations under section
 22 104 are first made available to U.S. Customs and
 23 Border Protection, the Commissioner shall imple-
 24 ment the system required by subsection (a).

1 (2) REQUIREMENTS.—In implementing the sys-
2 tem required by subsection (a), the Commissioner
3 shall—

4 (A) collaborate with the Trade Support
5 Network and other members of the trade com-
6 munity as the Commissioner considers appro-
7 priate;

8 (B) ensure that the system provides the
9 same or greater functionality as any system
10 being replaced by the system required by sub-
11 section (a), to include functionality with respect
12 to the ability of partner government agencies
13 and the trade community to conduct ordinary
14 business;

15 (C) ensure that the system provides the
16 features envisioned in the 21st Century Cus-
17 toms Framework of U.S. Customs and Border
18 Protection; and

19 (D) if unable to timely provide a feature of
20 the system required by this section, consult
21 with the Trade Support Network and other
22 members of the trade community, as the Com-
23 missioner considers appropriate, to provide a
24 feature of equal importance.

1 (3) EXEMPTION FROM THE FEDERAL ADVISORY
 2 COMMITTEE ACT.—Chapter 10 of title 5, United
 3 States Code, shall not apply to this section or to
 4 other efforts of U.S. Customs and Border Protection
 5 to collaborate with members of the trade community
 6 with respect to the development of the system re-
 7 quired by subsection (a).

8 (e) MODIFICATIONS TO ENSURE OPERATION OF
 9 INTERNATIONAL TRADE DATA SYSTEM.—Section
 10 411(d)(4)(A) of the Tariff Act of 1930 (19 U.S.C.
 11 1411(d)(4)(A)) is amended—

12 (1) in the matter preceding clause (i), by strik-
 13 ing “and the Interagency Steering Committee” and
 14 inserting “, the Interagency Steering Committee,
 15 and the Border Interagency Executive Council (es-
 16 tablished by section 101 of the Customs Facilitation
 17 Act of 2025), as appropriate, and in consultation
 18 with the Commercial Customs Operations Advisory
 19 Committee, Trade Support Network, and other
 20 members of the trade community as the Secretary
 21 considers necessary,”;

22 (2) in clause (i), by striking the semicolon and
 23 inserting “; and”;

24 (3) in clause (ii), by striking the semicolon and
 25 inserting a period; and

1 (4) by striking clauses (iii) and (iv).

2 **SEC. 103. CONTINUED MODERNIZATION OF THE AUTO-**
3 **MATED COMMERCIAL ENVIRONMENT.**

4 (a) IN GENERAL.—In order to advance the national
5 economic security, trade enforcement, and trade facilita-
6 tion missions of U.S. Customs and Border Protection and
7 partner government agencies of U.S. Customs and Border
8 Protection, the Secretary of Homeland Security shall pro-
9 vide for the continuous modernization of the Automated
10 Commercial Environment or a successor system.

11 (b) REQUIREMENTS.—

12 (1) DEVELOPMENT PRIORITIES.—The Commis-
13 sioner of U.S. Customs and Border Protection, in
14 consultation with the Commercial Customs Oper-
15 ations Advisory Committee (established under sec-
16 tion 109 of the Trade Facilitation and Trade En-
17 forcement Act of 2015 (19 U.S.C. 4316)), the Trade
18 Support Network, and any other member of the
19 trade community the Commissioner considers appro-
20 priate, shall determine the development priorities for
21 the Automated Commercial Environment, or a suc-
22 cessor system.

23 (2) COLLABORATION WITH PARTNER GOVERN-
24 MENT AGENCIES AND INDUSTRY.—

1 (A) IN GENERAL.—The Commissioner of
2 U.S. Customs and Border Protection shall col-
3 laborate with partner government agencies, the
4 Commercial Customs Operations Advisory Com-
5 mittee, the Trade Support Network, and any
6 other member of the trade community the Com-
7 missioner considers appropriate, to ensure that
8 any enhancement to the Automated Commercial
9 Environment, or a successor system, is effec-
10 tively delivered to Federal agencies and to the
11 trade community.

12 (B) MEETINGS.—

13 (i) IN GENERAL.—Not later than 90
14 days after the date of the enactment of
15 this Act, and as frequently as the Commis-
16 sioner considers appropriate thereafter, but
17 not less frequently than every 30 days, the
18 Commissioner shall convene meetings to
19 solicit feedback on enhancements to the
20 Automated Commercial Environment, or a
21 successor system.

22 (ii) ATTENDEES.—For each meeting
23 convened under clause (i), the Commis-
24 sioner shall invite—

1 (I) any representative from a
2 partner government agency or mem-
3 ber of the trade community who has a
4 stake in the system feature being dis-
5 cussed at the meeting;

6 (II) any contractor or technical
7 expert that the Commissioner con-
8 siders appropriate; and

9 (III) any other stakeholder the
10 Commissioner considers appropriate.

11 (iii) TASKS.—For each meeting con-
12 vened under clause (i), the Commissioner
13 shall—

14 (I) solicit feedback on any en-
15 hancement to the Automated Com-
16 mercial Environment, or a successor
17 system, that is planned, in develop-
18 ment, or newly implemented and is
19 addressed at the meeting;

20 (II) conduct user testing or re-
21 search with respect to any enhance-
22 ment to the Automated Commercial
23 Environment that is planned, in devel-
24 opment, or newly implemented;

1 (III) maintain a summary of the
2 feedback received with respect to each
3 such enhancement; and

4 (IV) incorporate, to the extent
5 practicable and as aligned with the
6 development priorities determined
7 under paragraph (1), the results of
8 any testing or research conducted
9 under subclause (II) into the develop-
10 ment of any such enhancement.

11 (3) MANAGEMENT OF COMMUNICATION.—The
12 Commissioner shall establish, through the use of a
13 ticketing system or such other means as the Com-
14 missioner considers appropriate, a mechanism to
15 manage communication relating to the Automated
16 Commercial Environment, or a successor system,
17 under which users of the Automated Commercial
18 Environment, or such successor system, may report
19 feedback, including with respect to bugs or any other
20 issue, and the appropriate contractor or agency may
21 review and respond to such feedback.

22 (c) REPORT.—Not later than 2 years after the date
23 of the enactment of this Act, and annually thereafter, the
24 Commissioner shall submit to Congress and make avail-
25 able to the public a report that describes the development

1 progress of the Automated Commercial Environment, or
 2 any successor system.

3 **SEC. 104. AUTHORIZATION OF APPROPRIATIONS FOR UNI-**
 4 **FORM SYSTEM FOR PROCESSING AND RE-**
 5 **LEASE OF CARGO.**

6 There are authorized to be appropriated to the Sec-
 7 retary of Homeland Security for fiscal year 2026, and
 8 each fiscal year thereafter, such sums as may be necessary
 9 to carry out improvements in a scalable, uniform auto-
 10 mated platform that provides a system for the processing
 11 and release of cargo being imported into and exported
 12 from the United States, including improvements to and
 13 integration of the Automated Commercial Environment,
 14 or any successor system, as described in section 102.

15 **TITLE II—MODERNIZING**
 16 **CUSTOMS PROCESSES**

17 **SEC. 201. SIMPLIFICATION OF DRAWBACK PROCEDURES.**

18 (a) IN GENERAL.—Section 313 of the Tariff Act of
 19 1930 (19 U.S.C. 1313) is amended by inserting after sub-
 20 section (s) the following:

21 “(t) SIMPLIFICATION OF DRAWBACK PROCE-
 22 DURES.—

23 “(1) ACCELERATED PAYMENT.—

24 “(A) IN GENERAL.—A person that meets
 25 the requirements of paragraph (3) and files a

1 claim for drawback under this section shall be
2 paid all estimated duties, taxes, and fees cov-
3 ered by the claim while the liquidation of the
4 claim is pending.

5 “(B) ESTIMATED PAYMENT EXCEEDS LIQ-
6 UIDATED AMOUNT.—If the amount of estimated
7 duties, taxes, and fees paid by U.S. Customs
8 and Border Protection under subparagraph (A)
9 for a drawback claim exceeds an amount that
10 is \$20 more than the final liquidated amount
11 for that claim, the person that filed the claim
12 shall refund to U.S. Customs and Border Pro-
13 tection the amount by which the amount of esti-
14 mated duties, taxes, and fees paid by U.S. Cus-
15 toms and Border Protection exceeds the final
16 liquidated amount.

17 “(C) LIQUIDATED AMOUNT EXCEEDS ESTI-
18 MATED PAYMENT.—If the final liquidated
19 amount for a drawback claim exceeds an
20 amount that is \$20 more than the amount of
21 estimated duties, taxes, and fees paid by U.S.
22 Customs and Border Protection under subpara-
23 graph (A) for the claim, U.S. Customs and
24 Border Protection shall provide to the person
25 that filed the claim an additional refund in the

1 amount by which the final liquidated amount
2 exceeds the amount of estimated duties, taxes,
3 and fees paid by U.S. Customs and Border Pro-
4 tection.

5 “(2) PRIOR NOTICE OF EXPORT NOT RE-
6 QUIRED.—A person that meets the requirements of
7 paragraph (3) shall not be required to provide notice
8 to U.S. Customs and Border Protection of an export
9 of merchandise to be used in a claim for drawback
10 under this section before exporting the merchandise.

11 “(3) REQUIREMENTS FOR CLAIMANTS.—A per-
12 son meets the requirements of this paragraph if the
13 person has completed the following:

14 “(A) Submitted to U.S. Customs and Bor-
15 der Protection information and supporting doc-
16 umentation kept by the person in the normal
17 course of business that evidences the ability of
18 the person to file for and claim drawback under
19 this section, which submission shall—

20 “(i) be deemed complete when sub-
21 mitted to U.S. Customs and Border Pro-
22 tection by the person; and

23 “(ii) apply to all claims for drawback
24 filed by the person under this section after
25 the completion of the submission.

1 “(B) Obtained a properly executed bond
2 securing, pending liquidation of a drawback
3 claim, repayment of 100 percent of the esti-
4 mated duties, taxes, and fees covered by the
5 claim.

6 “(4) ELECTRONIC FILINGS FOR DRAWBACK
7 CLAIMS.—A person making a claim for drawback
8 under this section shall be allowed to file an amend-
9 ment to, or perfection of, a drawback claim through
10 electronic means.”.

11 (b) PRIOR APPROVAL NOT REQUIRED FOR SUBSTI-
12 TUTION DRAWBACK.—Section 313(b) of the Tariff Act of
13 1930 (19 U.S.C. 1313(b)) is amended by adding at the
14 end the following:

15 “(5) ADVANCE APPROVAL OF CLAIMS NOT RE-
16 QUIRED.—A person filing a claim for drawback
17 under paragraph (1) shall not be required to obtain
18 any ruling or approval authorizing drawback under
19 that paragraph from the U.S. Customs and Border
20 Protection before filing the claim, but shall exercise
21 reasonable care in determining whether to obtain
22 such a ruling in advance of the filing.”.

23 (c) REGULATIONS.—Not later than 180 days after
24 the date of the enactment of this Act, the Commissioner
25 of U.S. Customs and Border Protection shall prescribe

1 regulations specifying the information required to be in-
 2 cluded in submissions made under subsection (t) of section
 3 313 of the Tariff Act of 1930, as added by subsection (a).

4 **SEC. 202. STREAMLINED EXPORT PROCESSES.**

5 Section 304 of title 13, United States Code, is
 6 amended by adding at the end the following:

7 “(d) REGULATIONS RELATING TO ADVANCE INFOR-
 8 MATION.—

9 “(1) IN GENERAL.—The Secretary of Com-
 10 merce shall prescribe regulations to account for ad-
 11 vance documentation or information and reports de-
 12 scribed in subsection (a) made available with respect
 13 to cargo before the exportation or transportation of
 14 the cargo.

15 “(2) CONSIDERATION OF TIMELINES FOR SUB-
 16 MISSION.—In prescribing regulations under para-
 17 graph (1), the Secretary shall—

18 “(A) consider how the different business
 19 models of persons submitting advance docu-
 20 mentation or information under subsection (a)
 21 impact the availability of the documentation or
 22 information; and

23 “(B) adjust the timelines required for the
 24 submission of that documentation or informa-
 25 tion as appropriate.

1 “(3) AVOIDANCE OF REDUNDANCY.—If infor-
 2 mation relating to the exportation or transportation
 3 of cargo provided under this section or section 431
 4 of the Tariff Act of 1930 (19 U.S.C. 1431) is redun-
 5 dant with information required to be provided under
 6 any other provision of law, the Secretary shall, pur-
 7 suant to the regulations prescribed under paragraph
 8 (1), work jointly with the Commissioner of U.S.
 9 Customs and Border Protection to ensure that the
 10 provision of the information under this section or
 11 such section 431 satisfies the requirement to provide
 12 the information under such other provision of law, to
 13 the extent practicable.”.

14 **SEC. 203. TREATMENT OF CLERICAL ERRORS IN SUBMIS-**
 15 **SION OF EXPORT DATA.**

16 Section 305(b) of title 13, United States Code, is
 17 amended—

18 (1) by striking “The Secretary” and inserting
 19 the following:

20 “(1) IN GENERAL.—The Secretary”; and

21 (2) by adding at the end the following:

22 “(2) TREATMENT OF CLERICAL ERRORS.—For
 23 purposes of paragraph (1), clerical errors or mis-
 24 takes of fact are not violations unless they are part
 25 of a pattern of violative conduct. The mere noninten-

1 tional repetition by an electronic system of an initial
2 clerical error does not constitute a pattern of viola-
3 tive conduct.”.

4 **SEC. 204. GOVERNMENT ACCOUNTABILITY OFFICE REPORT**
5 **ON FEE SCHEDULE OF U.S. CUSTOMS AND**
6 **BORDER PROTECTION.**

7 Not later than one year after the date of the enact-
8 ment of this Act, the Comptroller General of the United
9 States shall submit to Congress a report on the fee sched-
10 ule of U.S. Customs and Border Protection that in-
11 cludes—

12 (1) an assessment of—

13 (A) how that schedule might be restruc-
14 tured; and

15 (B) ways—

16 (i) to reduce costs for the entities in
17 the trade community that are the most
18 compliant with the customs and trade laws
19 of the United States (as defined in section
20 2 of the Trade Facilitation and Trade En-
21 forcement Act of 2015 (19 U.S.C. 4301));
22 and

23 (ii) to ensure that all entities that
24 benefit from customs services provided by

1 U.S. Customs and Border Protection pay
2 for those services; and
3 (2) recommendations for Congress.

4 **SEC. 205. IMPROVEMENTS TO CENTERS OF EXCELLENCE**
5 **AND EXPERTISE.**

6 Section 110(a) of the Trade Facilitation and Trade
7 Enforcement Act of 2015 (19 U.S.C. 4317(a)) is amend-
8 ed—

9 (1) in paragraph (8), by striking “; and” and
10 inserting a semicolon;

11 (2) in paragraph (9), by striking the period and
12 inserting a semicolon; and

13 (3) by adding at the end the following:

14 “(10) develop procedures, informed compliance
15 publications, or other guidance with respect to the
16 entry of merchandise in compliance with the law;
17 and

18 “(11) provide guidance to importers on the
19 post-entry and clearance procedures for imported
20 merchandise impacted by admissibility issues includ-
21 ing alleged violations of section 307 of the Trade
22 Act of 1930 (19 U.S.C. 1307).”.

1 **TITLE III—IMPROVING CUSTOMS**
2 **DATA AND TRANSPARENCY**

3 **SEC. 301. REQUIREMENTS FOR REGULATIONS RELATING**
4 **TO DATA COLLECTION FOR TRADE ENFORCE-**
5 **MENT AND FACILITATION.**

6 (a) REQUIREMENTS FOR NEW REGULATIONS.—In
7 developing and imposing regulations requiring the collec-
8 tion of additional information for the purposes of trade
9 enforcement and facilitation, each official described in
10 subsection (b) shall adhere to the following:

11 (1) The official shall solicit comments from and
12 consult with a broad range of parties likely to be af-
13 fected by the regulations, including importers, ex-
14 porters, carriers, customs brokers, platforms, and
15 freight forwarders, and other interested parties.

16 (2) In general, the requirement to provide par-
17 ticular information shall be imposed on parties with
18 direct knowledge of that information, as appropriate.
19 Where requiring information from a party with di-
20 rect knowledge of that information is not prac-
21 ticable, the regulations shall take into account how,
22 under ordinary and reasonable commercial practices,
23 information is acquired by a party on which the re-
24 quirement is imposed, and whether and how such
25 party is reasonably able to verify the information.

1 Where information is not reasonably verifiable by a
2 party on which a requirement is imposed, the regula-
3 tions shall permit that party to transmit information
4 on the basis of what the party reasonably believes to
5 be true based on commercially reasonable practices.

6 (3) The official shall take into account the ex-
7 istence of competitive relationships among the par-
8 ties on which requirements to provide particular in-
9 formation are imposed.

10 (4) Where the regulations impose requirements
11 on carriers of cargo, the regulations shall take into
12 account differences among different modes of trans-
13 portation, including differences in commercial prac-
14 tices, operational characteristics, and technological
15 capacity to collect and transmit information elec-
16 tronically.

17 (5) The regulations shall take into account the
18 extent to which the technology necessary for parties
19 to transmit and U.S. Customs and Border Protec-
20 tion to receive and analyze data in a timely fashion
21 is available. To the extent the official determines
22 that the necessary technology will not be widely
23 available to particular modes of transportation or
24 other affected parties until after promulgation of the
25 regulations, the regulations shall—

1 (A) provide interim requirements appro-
2 priate for the technology that is available at the
3 time of promulgation; or

4 (B) other accommodations.

5 (6) In determining the timing for transmittal of
6 any information, the official shall balance likely im-
7 pact on flow of commerce with impact on trade en-
8 forcement. With respect to requirements that may be
9 imposed on carriers of cargo, the timing for trans-
10 mittal of information shall take into account dif-
11 ferences among different modes of transportation, as
12 described in paragraph (4).

13 (7) Where practicable, the regulations shall
14 avoid imposing requirements that are redundant
15 with one another or that are redundant with require-
16 ments in other provisions of law.

17 (8) The official shall determine whether it is
18 appropriate to provide transition periods between
19 promulgation of the regulations and the effective
20 date of the regulations and shall prescribe such tran-
21 sition periods in the regulations, as appropriate, tak-
22 ing into account different business models.

23 (9) The official shall, in collaboration with the
24 Commissioner of U.S. Customs and Border Protec-
25 tion and the Postmaster General, prescribe regula-

1 tions requiring the United States Postal Service to
 2 transmit the information described in this subsection
 3 to the Commissioner of U.S. Customs and Border
 4 Protection for international mail shipments by the
 5 Postal Service (including shipments to the Postal
 6 Service from foreign postal operators that are trans-
 7 ported by private carrier).

8 (b) OFFICIALS DESCRIBED.—The officials described
 9 in this subsection are—

10 (1) the Secretary of the Treasury;

11 (2) the Secretary of Homeland Security; and

12 (3) the head of each agency represented on the
 13 Border Interagency Executive Council established by
 14 section 101.

15 **SEC. 302. UPDATES TO U.S. CUSTOMS AND BORDER PRO-**
 16 **TECTION WEBSITE AND CUSTOMS-TRADE**
 17 **PARTNERSHIP AGAINST TERRORISM TRADE**
 18 **COMPLIANCE HANDBOOK.**

19 (a) NOTIFICATION OF CHANGES.—

20 (1) IN GENERAL.—The Commissioner of U.S.
 21 Customs and Border Protection shall consult with
 22 and notify members of the trade community if con-
 23 tent related to minimum security criteria is added to
 24 or removed from the publicly accessible website of
 25 U.S. Customs and Border Protection or the Trade

1 Compliance Handbook for the Customs-Trade Part-
2 nership Against Terrorism.

3 (2) CONTENT OF NOTIFICATIONS.—A notifica-
4 tion required by paragraph (1) shall include a sum-
5 mary and explanation of the reasons for the addition
6 or removal of the content.

7 (3) MODEL.—The Commissioner shall use the
8 process of the United States International Trade
9 Commission for disclosing modifications to the Har-
10 monized Tariff Schedule of the United States as a
11 model for the notification required by paragraph (1).

12 (b) ADDITIONS TO TRADE COMPLIANCE HAND-
13 BOOK.—In addition to providing the notification required
14 by subsection (a)(1), the Commissioner shall consult with
15 members of the trade community with respect to any new
16 requirements that may be added to the Trade Compliance
17 Handbook of the Customs-Trade Partnership Against
18 Terrorism.

19 (c) REVISIONS TO TRADE COMPLIANCE HAND-
20 BOOK.—The Commissioner shall revise the Trade Compli-
21 ance Handbook of the Customs-Trade Partnership
22 Against Terrorism to include constructive and detailed
23 context for best practices for mitigating the risk of import-
24 ing merchandise produced using forced labor.

1 (d) CONSULTATIONS WITH FORCED LABOR EN-
 2 FORCEMENT TASK FORCE.—In revising the Trade Com-
 3 pliance Handbook of the Customs-Trade Partnership
 4 Against Terrorism under this section, the Commissioner
 5 shall consult with the Forced Labor Enforcement Task
 6 Force to ensure consistent messaging and streamlining of
 7 resources.

8 **SEC. 303. ESTABLISHMENT OF DEADLINES FOR AGENCY RE-**
 9 **SPONSES TO TRADE COMMUNITY REQUESTS.**

10 (a) IN GENERAL.—Not later than one year after the
 11 date of the enactment of this Act, the Commissioner of
 12 U.S. Customs and Border Protection—

13 (1) shall review any regulations governing dead-
 14 lines for rulings and decisions of U.S. Customs and
 15 Border Protection, including with respect to peti-
 16 tions, protests, and requests for advice, and customs
 17 rulings; and

18 (2) may, in consultation with members of the
 19 Commercial Customs Operations Advisory Com-
 20 mittee, revise such regulations.

21 (b) UPDATES TO EXISTING DEADLINES.—In a case
 22 in which a deadline is already established for a response
 23 described in subsection (a), the Commissioner shall—

24 (1) review the deadline; and

1 (2) if appropriate, revise the deadline to be
2 more expeditious.

3 (c) REPORT REQUIRED.—Not later than one year
4 after the date of the enactment of this Act, the Comp-
5 troller General of the United States shall submit to Con-
6 gress and make available to the public a report on rulings
7 and decisions of U.S. Customs and Border Protection that
8 includes—

9 (1) an assessment of—

10 (A) the average annual number of rulings
11 and decisions described in subsection (a) con-
12 sidered by U.S. Customs and Border Protec-
13 tion, including such rulings and decisions that
14 are not subject to a statutory or regulatory
15 deadline;

16 (B) the average response time of U.S. Cus-
17 toms and Border Protection to petitions, pro-
18 tests, and requests for advice, including the
19 total amount of responses made before and
20 after the applicable statutory or regulatory
21 deadline;

22 (C) the average time for issuance of cus-
23 toms rulings by U.S. Customs and Border Pro-
24 tection, including the total amount of rulings

1 issued before and after the applicable statutory
 2 or regulatory deadline;

3 (D) for deadlines not met, the average
 4 time it took for U.S. Customs and Border Pro-
 5 tection to respond or issue a ruling;

6 (E) reasons provided by U.S. Customs and
 7 Border Protection explaining why the deadlines
 8 were not met; and

9 (F) in the case of rulings and decisions not
 10 subject to a statutory or regulatory deadline,
 11 reasons for the length of time for issuing such
 12 rulings and making such decisions;

13 (2) a description of the petition and protest
 14 process, including timelines that apply under stat-
 15 utes or regulations as of the date of the report; and

16 (3) recommendations for Congress on improving
 17 the time taken by U.S. Customs and Border Protec-
 18 tion to respond to petitions, protests, and requests
 19 for advice and to issue rulings.

20 **SEC. 304. ACCESSIBILITY OF CONTACT INFORMATION OF**
 21 **REPRESENTATIVES OF U.S. CUSTOMS AND**
 22 **BORDER PROTECTION AND CENTERS OF EX-**
 23 **CELLENCE AND EXPERTISE.**

24 The Commissioner of U.S. Customs and Border Pro-
 25 tection shall develop a system to assist members of the

1 trade community in quickly and easily identifying up-to-
2 date contact information for—

3 (1) personnel within the headquarters of U.S.
4 Customs and Border Protection that interact with
5 members of the trade community;

6 (2) personnel of U.S. Customs and Border Pro-
7 tection and partner government agencies at ports of
8 entry that interact with members of the trade com-
9 munity; and

10 (3) personnel of the Centers of Excellence and
11 Expertise established under section 110 of the Trade
12 Facilitation and Trade Enforcement Act of 2015 (19
13 U.S.C. 4317) that interact with members of the
14 trade community.

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