

(4) Enforcing section 1337 of title 19 and provisions relating to import quotas and the marking of imported merchandise, and providing Customs Recordations for copyrights, patents, and trademarks.

(5) Collecting accurate import data for compilation of international trade statistics.

(6) Enforcing reciprocal trade agreements.

(7) Functions performed by the following personnel, and associated support staff, of the United States Customs Service on the day before the effective date of this chapter, and of U.S. Customs and Border Protection on the day before the effective date of the U.S. Customs and Border Protection Authorization Act: Import Specialists, Entry Specialists, Drawback Specialists, National Import Specialist, Fines and Penalties Specialists, attorneys of the Office of Regulations and Rulings, Customs Auditors, International Trade Specialists, Financial Systems Specialists.

(8) Functions performed by the following offices, with respect to any function described in any of paragraphs (1) through (7), and associated support staff, of the United States Customs Service on the day before the effective date of this chapter, and of U.S. Customs and Border Protection on the day before the effective date of the U.S. Customs and Border Protection Authorization Act: the Office of Information and Technology, the Office of Laboratory Services, the Office of the Chief Counsel, the Office of Congressional Affairs, the Office of International Affairs, and the Office of Training and Development.

(Pub. L. 107-296, title IV, §415, Nov. 25, 2002, 116 Stat. 2180; Pub. L. 114-125, title VIII, §802(g)(1)(B)(iii)(V), Feb. 24, 2016, 130 Stat. 211.)

Editorial Notes

REFERENCES IN TEXT

This part, referred to in text, was in the original “this subtitle”, meaning subtitle B (§§411-419) of title IV of Pub. L. 107-296, Nov. 25, 2002, 116 Stat. 2178, which enacted this part, amended section 5314 of Title 5, Government Organization and Employees, section 58c of Title 19, Customs Duties, and provisions set out as a note under section 2075 of Title 19. For complete classification of subtitle B to the Code, see Tables.

The effective date of this chapter, referred to in pars. (7) and (8), is 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107-296, set out as an Effective Date note under section 101 of this title.

The effective date of the U.S. Customs and Border Protection Authorization Act, referred to in pars. (7) and (8), is the effective date of title VIII of Pub. L. 114-125, which is Feb. 24, 2016.

AMENDMENTS

2016—Pars. (7), (8). Pub. L. 114-125 inserted “, and of U.S. Customs and Border Protection on the day before the effective date of the U.S. Customs and Border Protection Authorization Act” before the colon.

§ 216. Protection against potential synthetic opioid exposure

(a) In general

The Commissioner of U.S. Customs and Border Protection shall issue a policy that specifies effective protocols and procedures for the safe handling of potential synthetic opioids, includ-

ing fentanyl, by U.S. Customs and Border Protection officers, agents, other personnel, and canines, and to reduce the risk of injury or death resulting from accidental exposure and enhance post-exposure management.

(b) Training

(1) In general

Together with the issuance of the policy described in subsection (a), the Commissioner of U.S. Customs and Border Protection shall require mandatory and recurrent training on the following:

(A) The potential risk of opioid exposure and safe handling procedures for potential synthetic opioids, including precautionary measures such as the use of personal protective equipment during such handling.

(B) How to access and administer opioid receptor antagonists, including naloxone, post-exposure to potential synthetic opioids.

(C) How to use containment devices to prevent potential synthetic opioid exposure.

(2) Integration

The training described in paragraph (1) may be integrated into existing training under section 211(f) of this title for U.S. Customs and Border Protection officers, agents, and other personnel.

(c) Personal protective equipment, containment devices, and opioid receptor antagonists

Together with the issuance of the policy described in subsection (a), the Commissioner of U.S. Customs and Border Protection shall ensure the availability of personal protective equipment, opioid receptor antagonists, including naloxone, and containment devices, to all U.S. Customs and Border Protection officers, agents, other personnel, and canines at risk of accidental exposure to synthetic opioids.

(d) Oversight

To ensure effectiveness of the policy described in subsection (a)—

(1) the Commissioner of U.S. Customs and Border Protection shall regularly monitor the efficacy of the implementation of such policy and adjust protocols and procedures, as necessary; and

(2) the Inspector General of the Department shall audit compliance with the requirements of this section not less than once during the 3-year period after December 27, 2020.

(Pub. L. 107-296, title IV, §416, as added Pub. L. 116-260, div. U, title III, §302(a), Dec. 27, 2020, 134 Stat. 2291; amended Pub. L. 117-263, div. G, title LXXI, §7135(a), (b), Dec. 23, 2022, 136 Stat. 3650.)

Editorial Notes

PRIOR PROVISIONS

A prior section 216 of this title, Pub. L. 107-296, title IV, §416, Nov. 25, 2002, 116 Stat. 2181, related to GAO report to Congress, prior to repeal by Pub. L. 114-125, title VIII, §802(f), Feb. 24, 2016, 130 Stat. 210.

AMENDMENTS

2022—Subsec. (b)(1)(C). Pub. L. 117-263, §7135(a), added subpar. (C).

Subsec. (c). Pub. L. 117-263, §7135(b), inserted “, containment devices,” after “equipment” in heading

and substituted “, opioid receptor antagonists, including naloxone, and containment devices” for “and opioid receptor antagonists, including naloxone” in text.

Statutory Notes and Related Subsidiaries

APPLICABILITY TO OTHER COMPONENTS

Pub. L. 117-263, div. G, title LXXI, § 7135(c), Dec. 23, 2022, 136 Stat. 3650, provided that: “If the Secretary of Homeland Security determines that officers, agents, other personnel, or canines of a component of the Department of Homeland Security other than U.S. Customs and Border Protection are at risk of potential synthetic opioid exposure in the course of their duties, the head of such component shall carry out the responsibilities under section 416 of the Homeland Security Act of 2002 (6 U.S.C. 216) in the same manner and to the same degree as the Commissioner of U.S. Customs and Border Protection carries out such responsibilities.”

§ 217. Allocation of resources by the Secretary

(a) In general

The Secretary shall ensure that adequate staffing is provided to assure that levels of customs revenue services provided on the day before the effective date of this chapter shall continue to be provided.

(b) Notification of Congress

The Secretary shall notify the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate at least 90 days prior to taking any action which would—

- (1) result in any significant reduction in customs revenue services, including hours of operation, provided at any office within the Department or any port of entry;
- (2) eliminate or relocate any office of the Department which provides customs revenue services; or
- (3) eliminate any port of entry.

(c) Definition

In this section, the term “customs revenue services” means those customs revenue functions described in paragraphs (1) through (6) and paragraph (8) of section 215 of this title.

(Pub. L. 107-296, title IV, § 417, Nov. 25, 2002, 116 Stat. 2181.)

Editorial Notes

REFERENCES IN TEXT

The effective date of this chapter, referred to in subsec. (a), is 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107-296, set out as an Effective Date note under section 101 of this title.

§ 218. Asia-Pacific Economic Cooperation Business Travel Cards

(a) In general

The Commissioner of U.S. Customs and Border Protection is authorized to issue an Asia-Pacific Economic Cooperation Business Travel Card (referred to in this section as an “ABT Card”) to any individual described in subsection (b).

(b) Card issuance

An individual described in this subsection is an individual who—

- (1) is a citizen of the United States;

(2) has been approved and is in good standing in an existing international trusted traveler program of the Department; and

(3) is—

(A) engaged in business in the Asia-Pacific region, as determined by the Commissioner of U.S. Customs and Border Protection; or

(B) a United States Government official actively engaged in Asia-Pacific Economic Cooperation business, as determined by the Commissioner of U.S. Customs and Border Protection.

(c) Integration with existing travel programs

The Commissioner of U.S. Customs and Border Protection shall integrate application procedures for, and issuance, renewal, and revocation of, ABT Cards with existing international trusted traveler programs of the Department.

(d) Cooperation with private entities and non-governmental organizations

In carrying out this section, the Commissioner of U.S. Customs and Border Protection may consult with appropriate private sector entities and nongovernmental organizations, including academic institutions.

(e) Fee

(1) In general

The Commissioner of U.S. Customs and Border Protection shall—

- (A) prescribe and collect a fee for the issuance and renewal of ABT Cards; and
- (B) adjust such fee to the extent the Commissioner determines necessary to comply with paragraph (2).

(2) Limitation

The Commissioner of U.S. Customs and Border Protection shall ensure that the total amount of the fees collected under paragraph (1) during any fiscal year is sufficient to offset the direct and indirect costs associated with carrying out this section during such fiscal year, including the costs associated with operating and maintaining the ABT Card issuance and renewal processes.

(3) Account for collections

There is established in the Treasury of the United States an “Asia-Pacific Economic Cooperation Business Travel Card Account” into which the fees collected under paragraph (1) shall be deposited as offsetting receipts.

(4) Use of funds

Amounts deposited into the Asia Pacific¹ Economic Cooperation Business Travel Card Account established under paragraph (3) shall—

- (A) be credited to the appropriate account of the² U.S. Customs and Border Protection for expenses incurred in carrying out this section; and
- (B) remain available until expended.

(f) Notification

The Commissioner of U.S. Customs and Border Protection shall notify the Committee on Home-

¹ So in original. Probably should be “Asia-Pacific”.

² So in original. The word “the” probably should not appear.