

105TH CONGRESS  
2D SESSION

# H. R. 4819

To provide for the continuation of preclearance activities for air transit passengers and enhanced inspectional services for vessel passengers, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 13, 1998

Mr. SHAW (for himself, Mr. DEUTSCH, Mr. RAMSTAD, Mr. HASTINGS of Florida, Mr. DIAZ-BALART, Ms. ROS-LEHTINEN, Mr. BILIRAKIS, Mr. FOLEY, Mrs. MEEK of Florida, Mr. DAVIS of Florida, Mr. WEXLER, Mr. MCCOLLUM, and Mr. CAMP) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To provide for the continuation of preclearance activities for air transit passengers and enhanced inspectional services for vessel passengers, 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.**

4 This Act may be cited as the “Passenger Services En-  
5 hancement Act”.

### 6 **SEC. 2. CUSTOMS USER FEES.**

7 (a) **ADDITIONAL PRECLEARANCE ACTIVITIES.**—Sec-  
8 tion 13031(f)(3)(A)(iii) of the Consolidated Omnibus

1 Budget Reconciliation Act of 1985 (19 U.S.C.  
2 58c(f)(3)(A)(iii)) is amended to read as follows:

3 “(iii) to the extent funds remain available after  
4 making reimbursements under clause (ii), in provid-  
5 ing salaries for up to 50 full-time equivalent  
6 inspectional positions to provide preclearance serv-  
7 ices.”.

8 (b) COLLECTION OF FEES FOR PASSENGERS ABOARD  
9 COMMERCIAL VESSELS.—Section 13031 of the Consoli-  
10 dated Omnibus Budget Reconciliation Act of 1985 (19  
11 U.S.C. 58c) is amended—

12 (1) in subsection (a), by amending paragraph  
13 (5) to read as follows:

14 “(5)(A) Subject to subparagraph (B), for the  
15 arrival of each passenger aboard a commercial vessel  
16 or commercial aircraft from a place outside the  
17 United States (other than a place referred to in sub-  
18 section (b)(1)(A)(i) of this section), \$5.

19 “(B) For the arrival of each passenger aboard  
20 a commercial vessel from a place referred to in sub-  
21 section (b)(1)(A)(i) of this section, \$1.75”; and

22 (2) in subsection (b)(1)(A), by striking “(A) No  
23 fee” and inserting “(A) Except as provided in sub-  
24 section (a)(5)(B) of this section, no fee”.

1       (c) USE OF MERCHANDISE PROCESSING FEES FOR  
2 AUTOMATED COMMERCIAL SYSTEMS.—Section 13031(f)  
3 of the Consolidated Omnibus Budget Reconciliation Act  
4 of 1985 (19 U.S.C. 58c(f)) is amended by adding at the  
5 end the following:

6       “(6) Of the amounts collected in fiscal year 1999  
7 under paragraphs (9) and (10) of subsection (a),  
8 \$50,000,000 shall be available to the Customs Service,  
9 subject to appropriations Acts, for automated commercial  
10 systems. Amounts made available under this paragraph  
11 shall remain available until expended.”.

12       (d) ADVISORY COMMITTEE.—Section 13031 of the  
13 Consolidated Omnibus Budget Reconciliation Act of 1985  
14 (19 U.S.C. 58c) is amended by adding at the end the fol-  
15 lowing:

16       “(k) ADVISORY COMMITTEE.—The Commissioner of  
17 Customs shall establish an advisory committee whose  
18 membership shall consist of representatives from the air-  
19 line, cruise ship, and other transportation industries who  
20 may be subject to fees under subsection (a). The advisory  
21 committee shall not be subject to termination under sec-  
22 tion 14 of the Federal Advisory Committee Act. The advi-  
23 sory committee shall meet on a periodic basis and shall  
24 advise the Commissioner on issues related to the perform-  
25 ance of the inspectional services of the United States Cus-

1 toms Service. Such advice shall include, but not be limited  
2 to, such issues as the time periods during which such serv-  
3 ices should be performed, the proper number and deploy-  
4 ment of inspection officers, the level of fees, and the ap-  
5 propriateness of any proposed fee. The Commissioner shall  
6 give consideration to the views of the advisory committee  
7 in the exercise of his or her duties.”.

8 (e) NATIONAL CUSTOMS AUTOMATION TEST RE-  
9 GARDING RECONCILIATION.—Section 505(c) of the Tariff  
10 Act of 1930 (19 U.S.C. 1505(c)) is amended by adding  
11 at the end the following: “For the period beginning on  
12 October 1, 1998, and ending on the date on which the  
13 ‘Revised National Customs Automation Test Regarding  
14 Reconciliation’ of the Customs Service is terminated, or  
15 October 1, 2000, whichever occurs earlier, the Secretary  
16 may prescribe an alternative mid-point interest accounting  
17 methodology, which may be employed by the importer,  
18 based upon aggregate data in lieu of accounting for such  
19 interest from each deposit data provided in this sub-  
20 section.”.

21 (f) EFFECTIVE DATE.—The amendments made by  
22 this section shall take effect 30 days after the date of the  
23 enactment of this Act.

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