

112TH CONGRESS
2D SESSION

H. R. 6055

To authorize the Commissioner of U.S. Customs and Border Protection to enter into reimbursable fee agreements for the provision of customs services, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 28, 2012

Mr. REYES (for himself, Mr. CANSECO, Mr. HINOJOSA, Mrs. DAVIS of California, and Mr. GENE GREEN of Texas) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To authorize the Commissioner of U.S. Customs and Border Protection to enter into reimbursable fee agreements for the provision of customs services, 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 “Facilitating Access of
5 Services and Trade Act of 2012” or the “FAST Act of
6 2012”.

1 **SEC. 2. REIMBURSABLE FEE AGREEMENTS FOR PROVISION**
2 **OF CUSTOMS SERVICES.**

3 (a) IN GENERAL.—Notwithstanding any other provi-
4 sion of law, upon the request of any person, the Commis-
5 sioner of U.S. Customs and Border Protection (CBP) may
6 enter into reimbursable fee agreements for a period of up
7 to ten years with such person for the provision of CBP
8 services and any other costs incurred by CBP relating to
9 such services. Such requests may include additional CBP
10 services at existing CBP-serviced facilities, the provision
11 of CBP services at new facilities and preclearance loca-
12 tions, and expanded CBP services at land border facilities.

13 (b) ACCOUNTS; USE OF FEES.—Fees collected pursu-
14 ant to any agreement entered into under this section
15 shall—

16 (1) be deposited in the “U.S. Customs and Bor-
17 der Protection—Salaries and Expenses” account of
18 the Department of Homeland Security as offsetting
19 collections and remain available until expended,
20 without fiscal year limitation; and

21 (2) be used to pay for any expenses incurred by
22 CBP in providing CBP services and any other costs
23 incurred by CBP relating to such services.

24 (c) AMOUNT AND PAYMENT OF FEES.—The amount
25 of the fee to be charged pursuant to an agreement author-
26 ized under this section shall—

1 (1) be paid by each person requesting CBP
2 services; and

3 (2) include the salary and expenses of individ-
4 uals employed by CBP to provide such services, and
5 any other costs incurred by CBP relating to such
6 services, such as temporary placement or permanent
7 relocation of such individuals.

8 (d) FAILURE TO PAY.—U.S. Customs and Border
9 Protection shall terminate the provision of services pursu-
10 ant to an agreement entered into under this section with
11 a person that, after receiving notice from CBP that a fee
12 imposed is due, fails to timely pay such fee.

13 (e) PROVISION OF FACILITIES AND EQUIPMENT.—
14 Each facility at which CBP services are performed pursu-
15 ant to an agreement entered into under this section shall
16 provide, maintain, and equip, without cost to the Federal
17 Government, such facilities in accordance with CBP speci-
18 fications.

19 (f) DEFINITIONS.—In this section:

20 (1) CBP SERVICES.—The term “CBP services”
21 means any activities of any employee or contractor
22 of CBP related to customs and immigration matters.

23 (2) PERSON.—The term “person” means—

24 (A) any natural person; or

1 (B) any corporation, partnership, trust, as-
2 sociation, or any other public or private entity,
3 including any foreign government or transit au-
4 thority, or any officer, employee, or agent there-
5 of.

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