

112TH CONGRESS
2D SESSION

H. R. 6110

To establish educational seminars at United States ports of entry to improve the ability of U.S. Customs and Border Protection personnel to classify and appraise articles that are imported into the United States in accordance with the customs laws of the United States.

IN THE HOUSE OF REPRESENTATIVES

JULY 12, 2012

Mr. LIPINSKI (for himself, Mr. LATOURETTE, Mr. MICHAUD, Ms. KAPTUR, and Mr. CONYERS) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To establish educational seminars at United States ports of entry to improve the ability of U.S. Customs and Border Protection personnel to classify and appraise articles that are imported into the United States in accordance with the customs laws of the United States.

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 “Customs Training En-
5 hancement Act”.

1 **SEC. 2. EDUCATIONAL SEMINARS TO IMPROVE ABILITY OF**
2 **U.S. CUSTOMS AND BORDER PROTECTION**
3 **PERSONNEL TO CLASSIFY AND APPRAISE IM-**
4 **PORTED ARTICLES.**

5 (a) EDUCATIONAL SEMINARS.—

6 (1) IN GENERAL.—The Commissioner shall es-
7 tablish and carry out educational seminars at United
8 States ports of entry to improve the ability of U.S.
9 Customs and Border Protection personnel to classify
10 and appraise articles imported into the United
11 States in accordance with the customs laws of the
12 United States, including to improve the ability of
13 U.S. Customs and Border Protection personnel to
14 identify and prevent the mislabeling and trans-
15 shipment of articles.

16 (2) NUMBER AND EXCEPTION.—The Commis-
17 sioner shall establish and carry out not less than 15
18 educational seminars each year under paragraph (1).
19 The Commissioner may establish and carry out
20 fewer than 15 seminars each year under paragraph
21 (1) if the Commissioner determines and notifies
22 Congress that it is appropriate to do so.

23 (b) CONTENT.—

24 (1) IN GENERAL.—The Commissioner and in-
25 terested parties selected under subsection (d) should
26 provide instruction and related instructional mate-

1 rials at each educational seminar to U.S. Customs
2 and Border Protection personnel and, as appro-
3 priate, U.S. Immigration and Customs Enforcement
4 personnel on the following:

5 (A) Conducting a physical inspection of an
6 article imported into the United States, includ-
7 ing testing of samples of the article, to deter-
8 mine if the article is mislabeled in the manifest
9 or other accompanying documentation.

10 (B) Reviewing the manifest and other ac-
11 companying documentation of an article im-
12 ported into the United States to determine if
13 the country of origin of the article listed in the
14 manifest or other accompanying documentation
15 is accurate.

16 (C) Other related matters as determined to
17 be appropriate by the Commissioner.

18 (2) APPROVAL OF COMMISSIONER.—The in-
19 struction and related instructional materials at each
20 educational seminar shall be subject to the approval
21 of the Commissioner.

22 (c) COSTS AND EXPENSES.—The Commissioner shall
23 pay the costs to establish and carry out each educational
24 seminar and shall pay expenses for U.S. Customs and
25 Border Protection personnel, U.S. Immigration and Cus-

1 toms Enforcement personnel, and interested parties to
2 provide instruction in or receive training at the seminar.

3 (d) SELECTION PROCESS.—

4 (1) IN GENERAL.—The Commissioner shall es-
5 tablish a process to solicit, evaluate, and select inter-
6 ested parties for purposes of assisting in providing
7 instruction in the educational seminars under this
8 section.

9 (2) CRITERIA.—The Commissioner shall, in
10 consultation with the United States International
11 Trade Commission, evaluate and select interested
12 parties under the process established under para-
13 graph (1) based on—

14 (A) availability and usefulness;

15 (B) the volume, value, and incidence of
16 mislabeling of an imported article that relates
17 to a comparable domestic product of the inter-
18 ested party; and

19 (C) other appropriate criteria established
20 by the Commissioner.

21 (3) PUBLIC AVAILABILITY.—The Commissioner
22 shall publish in the Federal Register a detailed de-
23 scription of the process established under paragraph
24 (1) and the criteria established under paragraph (2).

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) COMMISSIONER.—The term “Commis-
4 sioner” means the Commissioner responsible for
5 U.S. Customs and Border Protection.

6 (2) COMPARABLE DOMESTIC PRODUCT.—The
7 term “comparable domestic product” means a prod-
8 uct which is comparable in characteristics and uses
9 with an article imported into the United States and
10 which is covered by an educational seminar under
11 this Act.

12 (3) CUSTOMS LAWS OF THE UNITED STATES.—
13 The term “customs laws of the United States”
14 means any law or regulation enforced or adminis-
15 tered by U.S. Customs and Border Protection.

16 (4) INTERESTED PARTY.—The term “interested
17 party” means—

18 (A) a manufacturer, producer, or whole-
19 saler in the United States of a comparable do-
20 mestic product;

21 (B) a certified union or recognized union
22 or group of workers which is representative of
23 an industry engaged in the manufacture, pro-
24 duction, or wholesale in the United States of a
25 comparable domestic product;

1 (C) a trade or business association a ma-
 2 jority of whose members manufacture, produce,
 3 or wholesale a comparable domestic product in
 4 the United States; or

5 (D) an association, a majority of whose
 6 members is composed of interested parties de-
 7 scribed in subparagraph (A), (B), or (C) with
 8 respect to a comparable domestic product.

9 (5) UNITED STATES.—The term “United
 10 States” means the customs territory of the United
 11 States, as defined in General Note 2 to the Har-
 12 monized Tariff Schedule of the United States.

13 (6) U.S. CUSTOMS AND BORDER PROTECTION
 14 PERSONNEL.—The term “U.S. Customs and Border
 15 Protection personnel” means Import Specialists and
 16 other appropriate employees of U.S. Customs and
 17 Border Protection.

18 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

19 (a) IN GENERAL.—There are authorized to be appro-
 20 priated to carry out this Act \$3,000,000 for each of the
 21 fiscal years 2012 through 2016.

22 (b) OFFSET.—Subparagraph (B) of section
 23 6621(a)(2) of the Internal Revenue Code of 1986 is

- 1 amended by striking “3 percentage points” and inserting
- 2 “4 percentage points”.

