

114TH CONGRESS
2D SESSION

S. 3292

To amend the Tariff Act of 1930 to make the Postmaster General the importer of record for non-letter class mail and to require the provision of advance electronic information about shipments of non-letter class mail to U.S. Customs and Border Protection, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 7, 2016

Mr. PORTMAN (for himself, Mr. JOHNSON, and Ms. AYOTTE) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend the Tariff Act of 1930 to make the Postmaster General the importer of record for non-letter class mail and to require the provision of advance electronic information about shipments of non-letter class mail to U.S. Customs and Border Protection, 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 “Synthetics Trafficking
5 and Overdose Prevention Act of 2016” or the “STOP Act
6 of 2016”.

1 **SEC. 2. IMPROVEMENTS TO UNITED STATES MAIL SECU-**
2 **RITY.**

3 (a) IMPORTER OF RECORD.—

4 (1) IN GENERAL.—Subparagraph (B) of section
5 484(a)(2) of the Tariff Act of 1930 (19 U.S.C.
6 1484(a)(2)(B)) is amended to read as follows:

7 “(B)(i) When an entry of merchandise is made
8 under this section, the required documentation or in-
9 formation shall be filed or electronically trans-
10 mitted—

11 “(I) by the owner or purchaser of the mer-
12 chandise;

13 “(II) when appropriately designated by the
14 owner, purchaser, or consignee of the merchan-
15 dise, by a person holding a valid license under
16 section 641; or

17 “(III) in the case of non-letter class mail,
18 by the Postmaster General or a designee of the
19 Postmaster General, which may include a per-
20 son holding a valid license under section 641.

21 “(ii) When a consignee declares on entry that
22 he or she is the owner or purchaser of merchandise,
23 U.S. Customs and Border Protection may, without
24 liability, accept the declaration.

25 “(iii) For the purposes of this Act, the importer
26 of record must be one of the parties who is eligible

1 to file the documentation or information required by
 2 this section.

3 “(iv) In this subparagraph, the term ‘non-letter
 4 class mail’ means any product of the United States
 5 Postal Service or a Universal Postal Union des-
 6 ignated operator that is provided pursuant to—

7 “(I) the Universal Postal Union’s Parcel
 8 Post Regulations and Final Protocol; or

9 “(II) the Universal Postal Union’s Letter
 10 Post Regulations and Final Protocol, except
 11 ‘small letters’ as defined in Article RL 124(1),
 12 as such regulations were in effect on the date
 13 of the enactment of the Synthetics Trafficking
 14 and Overdose Prevention Act of 2016.”.

15 (2) EFFECTIVE DATE.—The amendment made
 16 by paragraph (1) shall take effect on the date that
 17 is six months after the date of the enactment of this
 18 Act.

19 (b) INFORMAL ENTRIES.—Section 498 of the Tariff
 20 Act of 1930 (19 U.S.C. 1498) is amended by adding at
 21 the end the following:

22 “(c) REGULATIONS RELATED TO INFORMAL CUS-
 23 TOMS ENTRIES.—

24 “(1) REQUIREMENT.—Notwithstanding any
 25 other provision of law, not later than six months

1 after the date of the enactment of the Synthetics
 2 Trafficking and Overdose Prevention Act of 2016,
 3 the Secretary of the Treasury shall issue regulations
 4 to require the Postmaster General or designee of the
 5 Postmaster General, which may include a person
 6 holding a valid license under section 641, to file in-
 7 formal customs entries for all non-letter class mail
 8 that meets the informal entry requirements of this
 9 section and subpart C of part 143 of title 19, Code
 10 of Federal Regulations.

11 “(2) NON-LETTER CLASS MAIL.—In this sub-
 12 section, the term ‘non-letter class mail’ has the
 13 meaning given that term in section
 14 484(a)(2)(B)(iv).”.

15 (c) DE MINIMIS SHIPMENTS.—

16 (1) REDUCTION OR MODIFICATION OF EXEMP-
 17 TION.—Section 321 of the Tariff Act of 1930 (19
 18 U.S.C. 1321) is amended by adding at the end the
 19 following:

20 “(c) The Postmaster General or a designee of the
 21 Postmaster General, which may include a person holding
 22 a valid license under section 641, shall be designated as
 23 the importer of record for non-letter class mail (as that
 24 term is defined in section 484(a)(2)(B)(iv)) that is subject

1 to the regulations issued pursuant to subsection (a) or
 2 (b).”.

3 (2) REGULATIONS.—Not later than six months
 4 after the date of the enactment of this Act, the Sec-
 5 retary of the Treasury shall issue regulations to im-
 6 plement the amendment made by paragraph (1).

7 (d) CUSTOMS FEES.—

8 (1) IN GENERAL.—Paragraph (6) of section
 9 13031(a) of the Consolidated Omnibus Budget Rec-
 10 onciliation Act of 1985 (19 U.S.C. 58c(a)(6)) is
 11 amended to read as follows:

12 “(6)(A) Except as provided in subparagraph
 13 (B), for each item of dutiable mail for which a docu-
 14 ment is prepared by a customs officer, \$5.

15 “(B) For the arrival of each item of any non-
 16 letter class mail (as that term is defined in clause
 17 (iv) of section 484(a)(2)(B) of the Tariff Act of
 18 1930 (19 U.S.C. 1484(a)(2)(B))), \$1.”.

19 (2) EFFECTIVE DATE.—The amendment made
 20 by paragraph (1) shall take effect on the date that
 21 is six months after the date of the enactment of this
 22 Act.

23 (e) MANDATORY ADVANCED ELECTRONIC INFORMA-
 24 TION FOR NON-LETTER CLASS MAIL.—

1 (1) IN GENERAL.—Subparagraph (K) of section
2 343(a)(3) of the Trade Act of 2002 (Public Law
3 107–210; 19 U.S.C. 2071 note) is amended to read
4 as follows:

5 “(K) The Secretary shall require the Post-
6 master General to provide the information re-
7 quired in paragraphs (1) and (2) to U.S. Cus-
8 toms and Border Protection for any non-letter
9 class mail (as that term is defined in clause (iv)
10 of section 484(a)(2)(B) of the Tariff Act of
11 1930 (19 U.S.C. 1484(a)(2)(B))) imported into
12 the United States.”.

13 (2) REGULATIONS.—Not later than six months
14 after the date of the enactment of this Act, the Sec-
15 retary of the Treasury shall issue regulations to
16 carry out subparagraph (K) of section 343(a)(3) of
17 the Trade Act of 2002, as amended by paragraph
18 (1).

19 (f) LIMITATION ON INTERNATIONAL POSTAL AR-
20 RANGEMENTS.—The Secretary of State may not conclude
21 any international postal arrangement pursuant to the au-
22 thority set out in section 407 of title 39, United States
23 Code, that is inconsistent with this Act or any amendment
24 made by this Act.

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