

**Editorial Notes**

## REFERENCES IN TEXT

This subchapter, referred to in text, was in the original “this title”, meaning title I of Pub. L. 114–125, Feb. 24, 2016, 130 Stat. 127, which is classified principally to this subchapter. For complete classification of title I to the Code, see Tables.

SUBCHAPTER II—IMPORT HEALTH AND  
SAFETY

**§ 4331. Interagency Import Safety Working Group****(a) Establishment**

There is established an interagency Import Safety Working Group.

**(b) Membership**

The interagency Import Safety Working Group shall consist of the following officials or their designees:

- (1) The Secretary of Homeland Security, who shall serve as the Chair.
- (2) The Secretary of Health and Human Services, who shall serve as the Vice Chair.
- (3) The Secretary of the Treasury.
- (4) The Secretary of Commerce.
- (5) The Secretary of Agriculture.
- (6) The United States Trade Representative.
- (7) The Director of the Office of Management and Budget.
- (8) The Commissioner of Food and Drugs.
- (9) The Commissioner of U.S. Customs and Border Protection.
- (10) The Chairman of the Consumer Product Safety Commission.
- (11) The Director of U.S. Immigration and Customs Enforcement.
- (12) The head of any other Federal agency designated by the President to participate in the interagency Import Safety Working Group, as appropriate.

**(c) Duties**

The duties of the interagency Import Safety Working Group shall include—

- (1) consulting on the development of the joint import safety rapid response plan required by section 4332 of this title;
- (2) periodically evaluating the adequacy of the plans, practices, and resources of the Federal Government dedicated to ensuring the safety of merchandise imported into the United States and the expeditious entry of such merchandise, including—
  - (A) minimizing the duplication of efforts among Federal agencies the heads of which are members of the interagency Import Safety Working Group and ensuring the compatibility of the policies and regulations of those agencies; and
  - (B) recommending additional administrative actions, as appropriate, designed to ensure the safety of merchandise imported into the United States and the expeditious entry of such merchandise and considering the impact of those actions on private sector entities;
- (3) reviewing the engagement and cooperation of foreign governments and foreign manufacturers in facilitating the inspection and

certification, as appropriate, of such merchandise to be imported into the United States and the facilities producing such merchandise to ensure the safety of the merchandise and the expeditious entry of the merchandise into the United States;

(4) identifying best practices, in consultation with private sector entities as appropriate, to assist United States importers in taking all appropriate steps to ensure the safety of merchandise imported into the United States, including with respect to—

(A) the inspection of manufacturing facilities in foreign countries;

(B) the inspection of merchandise destined for the United States before exportation from a foreign country or before distribution in the United States; and

(C) the protection of the international supply chain (as defined in section 901 of title 6);

(5) identifying best practices to assist Federal, State, and local governments and agencies, and port authorities, to improve communication and coordination among such agencies and authorities with respect to ensuring the safety of merchandise imported into the United States and the expeditious entry of such merchandise; and

(6) otherwise identifying appropriate steps to increase the accountability of United States importers and the engagement of foreign government agencies with respect to ensuring the safety of merchandise imported into the United States and the expeditious entry of such merchandise.

(Pub. L. 114–125, title II, §201, Feb. 24, 2016, 130 Stat. 146.)

**§ 4332. Joint import safety rapid response plan****(a) In general**

Not later than December 31, 2016, the Secretary of Homeland Security, in consultation with the interagency Import Safety Working Group established under section 4331 of this title, shall develop a plan (to be known as the “joint import safety rapid response plan”) that sets forth protocols and defines practices for U.S. Customs and Border Protection to use—

(1) in taking action in response to, and coordinating Federal responses to, an incident in which cargo destined for or merchandise entering the United States has been identified as posing a threat to the health or safety of consumers in the United States; and

(2) in recovering from or mitigating the effects of actions and responses to an incident described in paragraph (1).

**(b) Contents**

The joint import safety rapid response plan shall address—

(1) the statutory and regulatory authorities and responsibilities of U.S. Customs and Border Protection and other Federal agencies in responding to an incident described in subsection (a)(1);

(2) the protocols and practices to be used by U.S. Customs and Border Protection when taking action in response to, and coordinating Federal responses to, such an incident;