

(Pub. L. 107–296, title IV, §416, as added Pub. L. 116–260, div. U, title III, §302(a), Dec. 27, 2020, 134 Stat. 2291; amended Pub. L. 117–263, div. G, title LXXI, §7135(a), (b), Dec. 23, 2022, 136 Stat. 3650.)

Editorial Notes

PRIOR PROVISIONS

A prior section 216 of this title, Pub. L. 107–296, title IV, §416, Nov. 25, 2002, 116 Stat. 2181, related to GAO report to Congress, prior to repeal by Pub. L. 114–125, title VIII, §802(f), Feb. 24, 2016, 130 Stat. 210.

AMENDMENTS

2022—Subsec. (b)(1)(C). Pub. L. 117–263, §7135(a), added subpar. (C).

Subsec. (c). Pub. L. 117–263, §7135(b), inserted “, containment devices,” after “equipment” in heading and substituted “, opioid receptor antagonists, including naloxone, and containment devices” for “and opioid receptor antagonists, including naloxone” in text.

Statutory Notes and Related Subsidiaries

APPLICABILITY TO OTHER COMPONENTS

Pub. L. 117–263, div. G, title LXXI, §7135(c), Dec. 23, 2022, 136 Stat. 3650, provided that: “If the Secretary of Homeland Security determines that officers, agents, other personnel, or canines of a component of the Department of Homeland Security other than U.S. Customs and Border Protection are at risk of potential synthetic opioid exposure in the course of their duties, the head of such component shall carry out the responsibilities under section 416 of the Homeland Security Act of 2002 (6 U.S.C. 216) in the same manner and to the same degree as the Commissioner of U.S. Customs and Border Protection carries out such responsibilities.”

§ 217. Allocation of resources by the Secretary

(a) In general

The Secretary shall ensure that adequate staffing is provided to assure that levels of customs revenue services provided on the day before the effective date of this chapter shall continue to be provided.

(b) Notification of Congress

The Secretary shall notify the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate at least 90 days prior to taking any action which would—

- (1) result in any significant reduction in customs revenue services, including hours of operation, provided at any office within the Department or any port of entry;
- (2) eliminate or relocate any office of the Department which provides customs revenue services; or
- (3) eliminate any port of entry.

(c) Definition

In this section, the term “customs revenue services” means those customs revenue functions described in paragraphs (1) through (6) and paragraph (8) of section 215 of this title.

(Pub. L. 107–296, title IV, §417, Nov. 25, 2002, 116 Stat. 2181.)

Editorial Notes

REFERENCES IN TEXT

The effective date of this chapter, referred to in subsec. (a), is 60 days after Nov. 25, 2002, see section 4 of

Pub. L. 107–296, set out as an Effective Date note under section 101 of this title.

§ 218. Asia-Pacific Economic Cooperation Business Travel Cards

(a) In general

The Commissioner of U.S. Customs and Border Protection is authorized to issue an Asia-Pacific Economic Cooperation Business Travel Card (referred to in this section as an “ABT Card”) to any individual described in subsection (b).

(b) Card issuance

An individual described in this subsection is an individual who—

- (1) is a citizen of the United States;
- (2) has been approved and is in good standing in an existing international trusted traveler program of the Department; and
- (3) is—

(A) engaged in business in the Asia-Pacific region, as determined by the Commissioner of U.S. Customs and Border Protection; or

(B) a United States Government official actively engaged in Asia-Pacific Economic Cooperation business, as determined by the Commissioner of U.S. Customs and Border Protection.

(c) Integration with existing travel programs

The Commissioner of U.S. Customs and Border Protection shall integrate application procedures for, and issuance, renewal, and revocation of, ABT Cards with existing international trusted traveler programs of the Department.

(d) Cooperation with private entities and non-governmental organizations

In carrying out this section, the Commissioner of U.S. Customs and Border Protection may consult with appropriate private sector entities and nongovernmental organizations, including academic institutions.

(e) Fee

(1) In general

The Commissioner of U.S. Customs and Border Protection shall—

- (A) prescribe and collect a fee for the issuance and renewal of ABT Cards; and
- (B) adjust such fee to the extent the Commissioner determines necessary to comply with paragraph (2).

(2) Limitation

The Commissioner of U.S. Customs and Border Protection shall ensure that the total amount of the fees collected under paragraph (1) during any fiscal year is sufficient to offset the direct and indirect costs associated with carrying out this section during such fiscal year, including the costs associated with operating and maintaining the ABT Card issuance and renewal processes.

(3) Account for collections

There is established in the Treasury of the United States an “Asia-Pacific Economic Cooperation Business Travel Card Account” into which the fees collected under paragraph (1) shall be deposited as offsetting receipts.