
Trade Facilitation and Trade Enforcement Act of 2015

Chairman Tiberi

The Trade Facilitation and Trade Enforcement Act of 2015, introduced today by Ways & Means Trade Subcommittee Chairman Pat Tiberi, provides direction on how to streamline trade, improve enforcement, and measure progress within U.S. Customs and Border Protection (CBP) in order to move the ever-increasing volume of legitimate trade more efficiently and halt trade that doesn't comply with U.S. laws. The bill focuses on three critical aspects of CBP's mission, as well as enhancing transparency and accountability:

Facilitating and streamlining the flow of legitimate trade: Streamlining legitimate trade and providing benefits to trusted traders will increase U.S. competitiveness in the global marketplace and create jobs here at home. The bill would:

- Reduce paperwork burdens for low value shipments, U.S. goods returned, residue of bulk cargo contained in instruments of international traffic, and drawback, a key job-supporting export program.
- Establish Centers for Excellence and Expertise within CBP to facilitate processing of legitimate entry transactions and increase industry-specific knowledge.
- Improve consultations between CBP, Congress, and the trade community.
- Establish performance measures for key CBP programs.

Modernization of CBP's automated systems: Continued modernization of CBP's automated systems is essential to supporting the increase in trade volume and the successful pre-screening of cargo. The bill would:

- Continue authorization to complete the development and implementation of the Automated Commercial Environment (ACE) for processing imports and exports, and establish reporting requirements for program accountability.
- Set requirements and establish deadlines for agencies with border responsibility to share information electronically so that all U.S. government import and export requirements are fulfilled through a single window, reducing costs and streamlining trade.

Enforcement of U.S. trade laws: Enforcing U.S. intellectual property rights and antidumping and countervailing duty laws, as well as preventing textile transshipment, prevents competitors from gaining an edge by cheating. The bill would:

- Establish tools for CBP and hold it accountable to effectively act against evasion of antidumping and countervailing duties.
- Grant the Department of Commerce needed authority to use its product, industry and investigatory expertise to investigate evasion of antidumping and countervailing duties.
- Require reporting and accountability of revenue protection and enforcement measures, including review by GAO and the Inspector General of the Department of the Treasury.
- Establish trade enforcement training, using industry expertise, for port personnel to improve appraisal, valuation and classification.
- Enhance targeting of high-risk shipments through requiring broker information, strengthening internal controls over new importers, and collecting information and levying financial requirements on nonresident importers.
- Require development of a joint strategic plan for enforcement of Priority Trade Issues.
- Require CBP to provide IPR right holders with samples to determine if imported products are counterfeit.
- Eliminate the "consumptive demand" exception to the prohibition on importing merchandise made by convict, forced or indentured labor.