

106TH CONGRESS  
2D SESSION

# S. 3199

To amend section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 to provide for a user fee to cover the cost of customs inspections at express courier facilities.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 12 (legislative day, SEPTEMBER 22), 2000

Mr. THOMPSON introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 to provide for a user fee to cover the cost of customs inspections at express courier facilities.

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. FEES FOR CUSTOMS INSPECTIONS AT EXPRESS**

4                   **COURIER FACILITIES.**

5       (a) CUSTOMS USER FEES.—Section 13031 of the

6       Consolidated Omnibus Budget Reconciliation Act of 1985

7       (19 U.S.C. 58c) is amended as follows:

8                   (1) Subsection (a) is amended—

1 (A) by redesignating paragraphs (7)  
2 through (10) as paragraphs (8) through (11),  
3 respectively;

4 (B) by inserting after paragraph (6) the  
5 following new paragraph:

6           “(7) For the processing of merchandise that is  
7        informally entered or released at a centralized hub  
8        facility or an express consignment carrier facility  
9        (other than shipments valued at \$200 or less, which  
10      shall not be subject to any fee under this sub-  
11      section), \$5.”; and

12 (C) in the last sentence of paragraph (11),  
13 as so redesignated, by striking “subparagraphs  
14 (A), (B), and (C),” and inserting “subpara-  
15 graphs (A) and (B), see paragraph (7), and at  
16 facilities referred to in subparagraph (C).”

17 (2) Subsection (b) is amended—

18 (A) in paragraph (5), by striking "(8)"  
19 and inserting "(9)";

20 (B) in paragraph (6)—

21 (i) by striking “(a)(8)” and inserting  
22 “(a)(9)”; and

23 (ii) by striking “(8)” and inserting  
24 “(9)”;

25 (C) in paragraph (8)—

1 (i) in subparagraph (A)(i), by striking  
2 “(a)(9)” and inserting “(a)(10)”;

3 (ii) in subparagraphs (B), (C), (D),  
4 and (E), by striking "(9) or (10)" each  
5 place it appears and inserting "(10) or  
6 (11)"; and

7 (D) in paragraph (9)—

12 (ii) by striking clause (ii) of subpara-  
13 graph (A);

14 (iii) in clause (i) of subparagraph  
15 (A)—

16 (I) by striking—

17               “(i) In the case of a small airport or other facil-  
18               ity—”;

19 (II) by redesignating subclauses  
20 (I) and (II) as clauses (i) and (ii), re-  
21 spectively, and aligning the text of  
22 those clauses with clauses (i) and (ii)  
23 of paragraph (8)(E); and

24 (III) in clause (ii), as so redesign-  
25 nated, by striking “(a)(10) for such

8       “(B) For purposes of this paragraph, the term ‘small  
9 airport or other facility’ means any airport or facility to  
10 which section 236 of the Trade and Tariff Act of 1984  
11 applies, if more than 25,000 informal entries were cleared  
12 through such airport or facility during the preceding fiscal  
13 year.”; and

14 (C) in paragraphs (10) and (11), by strik-  
15 ing “(9) or (10)” each place it appears and in-  
16 serting “(10) or (11)”.

19                 “(6) The terms ‘centralized hub facility’ and ‘express  
20                 consignment carrier facility’ mean a separate  
21                 or shared specialized facility approved by a port di-  
22                 rector of the Customs Service for examination and  
23                 release of imported merchandise carried by an ex-  
24                 press consignment carrier. Entry filing is also per-  
25                 mitted at any such facility.”.

6       “(7) Notwithstanding section 451 of the Tariff Act  
7 of 1930 or any other provision of law, all services rendered  
8 by the United States Customs Service at a centralized hub  
9 facility or an express consignment carrier facility relating  
10 to the inspection or release of merchandise from such facil-  
11 ity, either inbound or upon arrival from another country  
12 or outbound when departing to another country (includ-  
13 ing, but not limited to, normal and overtime services) shall  
14 be adequately provided when needed, at no cost to such  
15 facility (other than the fees imposed under subsection (a)  
16 of this section).”.

17 (6) Subsection (f)(3)(A) is amended—

18 (A) in the matter preceding clause (i), by  
19 striking “(9) or (10)” and inserting “(10) or  
20 (11);

21 (B) in clause (i)—

22 (i) in subclause (IV), by striking  
23 “and” at the end;

24 (ii) in subclause (V), by adding “and”  
25 after “1993.”; and

1 (iii) by inserting after subclause (V)  
2 the following:

6 (C) in clause (ii), by striking “(8)” each  
7 place it appears and inserting “(9)”.

10 (b) ADDITIONAL CONFORMING AMENDMENT.—Section 301(b)(2)(B) of the Customs Procedural Reform and  
11 Simplification Act of 1978 (19 U.S.C. 2075(b)(2)(B)) is  
12 amended by striking “(9) and (10)” and inserting “(10)  
13 and (11)”.  
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