

HR 3129

Customs Border Security Act of 2002

Congress: 107 (2001–2003, Ended)

Chamber: House

Policy Area: Foreign Trade and International Finance

Introduced: Oct 16, 2001

Current Status: Received in the Senate and Read twice and referred to the Committee on Finance.

Latest Action: Received in the Senate and Read twice and referred to the Committee on Finance. (May 23, 2002)

Official Text: <https://www.congress.gov/bill/107th-congress/house-bill/3129>

Sponsor

Name: Rep. Crane, Philip M. [R-IL-8]

Party: Republican • State: IL • Chamber: House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Finance Committee	Senate	Referred To	May 23, 2002
Ways and Means Committee	House	Reported By	Dec 5, 2001

Subjects & Policy Tags

Policy Area:

Foreign Trade and International Finance

Related Bills

Bill	Relationship	Last Action
107 HR 3009	Related bill	Aug 6, 2002: Became Public Law No: 107-210.
107 HRES 426	Procedurally related	May 22, 2002: Motion to reconsider laid on the table Agreed to without objection.

Customs Border Security Act of 2002 - **Title I: United States Customs Service - Subtitle A: Drug Enforcement and Other Noncommercial and Commercial Operations** - Amends the Customs Procedural Reform and Simplification Act of 1978 to authorize appropriations through FY 2004 for the U.S. Customs Service for: (1) noncommercial and commercial operations; and (2) the air and marine interdiction program. Earmarks certain funds for the automated commercial environment computer system. Requires the Commissioner of Customs to submit out-year budget projections annually to specified congressional committees by the time the President submits the annual budget proposal.

(Sec. 102) Earmarks amounts for: (1) the acquisition and deployment of antiterrorist and illicit narcotics detection equipment along the U.S.-Mexico border, the U.S.-Canada border, and Florida and Gulf Coast seaports; and (2) acquisition of technologically superior detection equipment.

(Sec. 103) Requires the Commissioner to establish performance goals, performance indicators, and comply with specified requirements with respect to certain activities, including those under subtitle B.

Subtitle B: Child Cyber-Smuggling Center of the Customs Service - Authorizes appropriations for FY 2002 to carry out a program to prevent child pornography/child exploitation established by the Child Cyber-Smuggling Center of the Customs Service. Allocates a portion of such funds for operation of the Center's child pornography cyber tipline, and for increased public awareness of it.

Subtitle C: Miscellaneous Provisions - Specifies funds available to hire approximately 285 additional Customs Service officers to address the needs of the offices and ports along the U.S.-Canada border.

(Sec. 122) Directs the Commissioner to study and report to specified congressional committees on: (1) current personnel practices of the Customs Service, including an overview of performance standards and the impact of the collective bargaining process on drug interdiction efforts; and (2) actions by the Customs Service to ensure that appropriate training is being provided to its personnel responsible for financial auditing of importers.

(Sec. 124) Directs the Commissioner to establish and implement, according to specified requirements, a cost accounting system for expenses incurred in both commercial and noncommercial operations of the Customs Service.

(Sec. 125) Directs the Comptroller General to study and report to specified congressional committees on the extent to which: (1) the Office of Regulations and Rulings of the Customs Service has made improvements to decrease the amount of time to issue importer-requested prospective rulings; and (2) the amount of each customs user fee is commensurate with the level of related services provided.

(Sec. 127) Amends the Consolidated Omnibus Budget Reconciliation Act of 1985 to require certain reimbursements and payments by a centralized hub facility, an express consignment carrier facility, or a small airport or other facility with respect to the processing of letters, documents, records, shipments, merchandise, or any other item valued at an amount under \$2,000 (or a higher amount as the Secretary of the Treasury may set by regulation), whether or not such items are informally entered or released (except item entered or released for immediate exportation) at such facilities. Requires a payment of \$.66 per individual airway bill or bill of lading in the case of an express consignment carrier facility or centralized hub facility. Sets forth certain payment requirements.

(Sec. 128) Amends the Tariff Act of 1930 to authorize the Secretary to require, by regulation, the electronic submission of information with respect to commercial importations under the National Customs Automation Program.

Subtitle D: Antiterrorism Provisions - Sets forth requirements with respect to: (1) immunity for U.S. customs employees that perform searches in good faith; (2) emergency adjustments to offices, ports of entry, or staffing of the Customs Service; (3) mandatory electronic transmission of passenger, crew, and cargo manifest information by motor, air, or vessel carriers; and (4) border contraband searches of domestic mail going out of the United States.

(Sec. 145) Authorizes appropriations for reestablishment of Customs Service operations in New York, New York.

Subtitle E: Textile Transshipment Provisions - Directs the Comptroller General to audit and report to specified congressional committees on the Customs Service system to monitor textile transshipments.

(Sec. 152) Authorizes appropriations for textile transshipment enforcement operations of the Customs Service.

(Sec. 153) Earmarks FY 2002 funds to provide specified technical assistance to help sub-Saharan Africa countries develop and implement effective visa and anti-transshipment systems as required by the African Growth and Opportunity Act.

Title II: Office of the United States Trade Representative - Amends the Trade Act of 1974 to authorize appropriations through FY 2004 for the Office of the U.S. Trade Representative, including two additional legislative specialist employee positions within the Office of the Assistant United States Trade Representative for Congressional Affairs.

Title III: United States International Trade Commission - Amends the Tariff Act of 1930 to authorize appropriations through FY 2004 for the U.S. International Trade Commission (ITC). Requires the ITC to submit out-year budget projections annually to specified congressional committees by the time the President submits the annual budget proposal.

Title IV: Other Trade Provisions - Increases from \$400 to \$800 the aggregate value of articles exempt from duty acquired abroad by U.S. residents.

Amends the Tariff Act of 1930 with respect to regulatory audit procedures, to require the Customs Service, when conducting an audit, to recognize and offset over-payments and over-declarations of duties, quantities, and values against underpayments and underdeclarations, if such over-payments and over-declarations were not made by the person being audited for the purpose of violating any law.

Actions Timeline

- **May 23, 2002:** Received in the Senate and Read twice and referred to the Committee on Finance.
- **May 22, 2002:** Rules Committee Resolution H. Res. 426 Reported to House. Rule provides for consideration of H.R. 3129 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Provides that it shall be in order to consider as an original bill for the purpose of amendment the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill. The rule waives all points of order against the committee amendment in the nature of a substitute Specified amendments are in order. Makes in order only those amendments printed in the Rules Committee report accompanying the resolution, provides that the amendments printed in the report may be offered only in the order printed in the report, may be offered only the member designated in the report, shall be considered as read, shall be debatable for the time specified, equally divided ...
- **May 22, 2002:** Rule H. Res. 426 passed House.
- **May 22, 2002:** Considered under the provisions of rule H. Res. 426. (consideration: CR H2861-2891)
- **May 22, 2002:** Rule provides for consideration of H.R. 3129 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Provides that it shall be in order to consider as an original bill for the purpose of amendment the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill. The rule waives all points of order against the committee amendment in the nature of a substitute Specified amendments are in order. Makes in order only those amendments printed in the Rules Committee report accompanying the resolution, provides that the amendments printed in the report may be offered only in the order printed in the report, may be offered only the member designated in the report, shall be considered as read, shall be debatable for the time specified, equally divided ...
- **May 22, 2002:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 426 and Rule XXIII.
- **May 22, 2002:** The Speaker designated the Honorable John E. Sweeney to act as Chairman of the Committee.
- **May 22, 2002:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 3129.
- **May 22, 2002:** DEBATE - Pursuant to the provisions of H. Res. 426, the Committee of the Whole proceeded with 10 minutes of debate on the Crane amendment in the nature of a substitute.
- **May 22, 2002:** DEBATE - Pursuant to the provisions of H. Res. 426, the Committee of the Whole proceeded with one hour of debate on the Waters amendment in the nature of a substitute.
- **May 22, 2002:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 3129.
- **May 22, 2002:** The previous question was ordered pursuant to the rule.
- **May 22, 2002:** The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union.
- **May 22, 2002:** Passed/agreed to in House: On passage Passed by recorded vote: 327 - 101 (Roll no. 193).
- **May 22, 2002:** On passage Passed by recorded vote: 327 - 101 (Roll no. 193).
- **May 22, 2002:** Motion to reconsider laid on the table Agreed to without objection.
- **Dec 6, 2001:** Mr. Thomas moved to suspend the rules and pass the bill, as amended.
- **Dec 6, 2001:** Considered under suspension of the rules. (consideration: CR H8960-8970, H8971-8972)
- **Dec 6, 2001:** DEBATE - The House proceeded with forty minutes of debate on H.R. 3129.
- **Dec 6, 2001:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Dec 6, 2001:** Failed of passage/not agreed to in House: On motion to suspend the rules and pass the bill, as amended Failed by the Yeas and Nays: (2/3 required): 256 - 168 (Roll no. 478).(text: CR H8960-8965)
- **Dec 6, 2001:** On motion to suspend the rules and pass the bill, as amended Failed by the Yeas and Nays: (2/3 required): 256 - 168 (Roll no. 478). (text: CR H8960-8965)
- **Dec 5, 2001:** Reported (Amended) by the Committee on Ways and Means. H. Rept. 107-320.(text of measure as reported in House: 5/22/2002 CR H2869-2873)
- **Dec 5, 2001:** Reported (Amended) by the Committee on Ways and Means. H. Rept. 107-320. (text of measure as reported in House: 5/22/2002 CR H2869-2873)
- **Dec 5, 2001:** Placed on the Union Calendar, Calendar No. 195.
- **Oct 31, 2001:** Committee Consideration and Mark-up Session Held.

Oct 31, 2001: Ordered to be Reported (Amended) by Voice Vote.

- **Oct 16, 2001:** Introduced in House
- **Oct 16, 2001:** Introduced in House
- **Oct 16, 2001:** Referred to the House Committee on Ways and Means.