



# Trade Facilitation and Trade Enforcement Act of 2015—Overview

## Background:

On February 24, 2016, President Obama signed into law P.L. 114-125, the **Trade Facilitation and Trade Enforcement Act of 2015**. The Act is the first comprehensive authorization of U.S. Customs and Border Protection (CBP) since the Department of Homeland Security's conception in 2003, with the overall objective to ensure a fair and competitive trade environment. This Act supports CBP's efforts to **protect** U.S. **Economic Security through Trade Enforcement**; **collaborate** with the **Private Sector** through direct engagement; and **streamline and modernize** processes through **Business Transformation** initiatives to meet the demands and complexities of a rapidly evolving global supply chain.

## ***Protect Economic Security through Trade Enforcement. The Act:***

- ◆ **Strengthens** enforcement capabilities and methods—including increased bonding, enhanced targeting of high-risk imports, and swift and thorough review of allegations to better enforce U.S. trade laws and regulations;
- ◆ **Establishes** a new administrative procedure for investigating allegations of evasion of Antidumping and Countervailing Duty (AD/CVD) orders, including an ability to draw adverse inferences for failing to provide information;
- ◆ **Enhances** CBP's efforts to combat the import of counterfeit goods and protect **Intellectual Property Rights (IPR)** holders, and to improve enforcement of **AD/CVD** laws; and
- ◆ **Prohibits** all products made by forced labor, including forced or indentured child labor, from being imported into the United States.

## ***Collaborate with the Private Sector through Direct Engagement. The Act:***

- ◆ **Reinforces** collaboration with both Partner Government Agencies (PGAs) and the private sector;
- ◆ **Authorizes** the **Commercial Customs Operations Advisory Committee (COAC)** to advise on CBP's regulations, policies, and practices;
- ◆ **Formalizes** CBP's industry seminar programs through which CBP selects interested parties to provide educational trade enforcement seminars to the agency's personnel; and
- ◆ **Codifies** the requirement for CBP's longstanding consultation with PGAs, private sector entities, and the public to ensure that CBP partnership programs provide significant benefits to the commercial industry.

## ***Streamline and Modernize through Business Transformation. The Act:***

- ◆ **Extends** the funding through 2018 for the **Automated Commercial Environment (ACE)**—the backbone of the U.S. Government's "Single Window" system of imports and exports—which transmits the private sector's import-export data to **47** PGAs, eliminating over **200** different forms, and streamlining trade processes;
- ◆ **Supports** CBP's efforts to develop and implement the **Centers of Excellence and Expertise (Centers)** — nationwide, industry-specific centers that enhance our enforcement of trade laws and regulations, provide uniformity of trade practices across U.S. Ports of Entry, and build industry expertise within CBP;
- ◆ **Recognizes** the authority to establish and maintain CBP's preclearance program for international travelers, authorizing immigration, customs, and agriculture inspection of each U.S. bound traveler prior to boarding a direct flight to the United States;
- ◆ **Simplifies** and modernizes drawback legislation governing the refund of relevant duties, taxes, and fees to increase efficiencies for the trade community; and
- ◆ **Raises** the de minimis value from \$200 per shipment to \$800 per shipment.