

Public Law 101-207  
101st Congress

An Act

To authorize appropriations for fiscal year 1990 for the Office of the United States Trade Representative, the United States International Trade Commission, and the United States Customs Service.

Dec. 7, 1989

[S. 1164]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE.**

(a) **IN GENERAL.**—Paragraph (1) of section 141(g) of the Trade Act of 1974 (19 U.S.C. 2171(g)(1)) is amended—

(1) by striking out “1988” in subparagraphs (A) and (B) and inserting in lieu thereof “1990”,

(2) by striking out “\$15,172,000” in subparagraph (A) and inserting in lieu thereof “\$19,651,000”, and

(3) by striking out “\$69,000” in subparagraph (B)(i) and inserting in lieu thereof “\$89,000”.

(b) **PANELS AND COMMITTEES UNDER CANADA FREE-TRADE AGREEMENT.**—Paragraph (1) of section 406(b) of the United States-Canada Free-Trade Agreement Implementation Act of 1988 (19 U.S.C. 2112, note) is amended by striking out “1989 such sums as may be necessary” and inserting in lieu thereof “1990, \$1,492,000”.

**SEC. 2. UNITED STATES INTERNATIONAL TRADE COMMISSION.**

Paragraph (2) of section 330(e) of the Tariff Act of 1930 (19 U.S.C. 1330(e)(2)) is amended—

(1) by striking out “1988” and inserting in lieu thereof “1990”, and

(2) by striking out “\$35,386,000” and inserting in lieu thereof “\$39,943,000”.

**SEC. 3. UNITED STATES CUSTOMS SERVICE.**

(a) **IN GENERAL.**—Subsection (b) of section 301 of the Customs Procedural Reform and Simplification Act of 1978 (19 U.S.C. 2075(b)(1)) is amended—

(1) by striking out “fiscal year 1989” each place it appears and inserting in lieu thereof “fiscal year 1990”,

(2) by striking out “\$440,504,000” in paragraph (1) and inserting in lieu thereof “\$418,822,000”,

(3) by striking out “\$615,247,000” in paragraph (2) and inserting in lieu thereof “\$656,468,000”,

(4) by striking out “\$142,262,000” in paragraph (3) and inserting in lieu thereof “\$128,128,000”, and

(5) by striking out paragraph (4).

(b) **APPOINTMENT OF THE COMMISSIONER OF CUSTOMS.**—(1) The second sentence of the first section of the Act entitled “An Act to create a Bureau of Customs and a Bureau of Prohibition in the Department of the Treasury”, approved March 3, 1927 (44 Stat. 1381, 19 U.S.C. 2071), is amended to read as follows: “The Commis-

sioner of Customs, who shall be appointed by the President by and with the advice and consent of the Senate, shall—

“(1) be at the head of the United States Customs Service;

“(2) carry out the duties and powers prescribed by the Secretary of the Treasury; and

“(3) report to the Secretary of the Treasury through such other officials as may be designated by the Secretary.”

Reports.

19 USC 2071  
note.

(2) The individual who is serving as the Commissioner of Customs on the day before the date of the enactment of this Act may continue to serve in such capacity until a Commissioner of Customs, appointed as provided in the amendment made by paragraph (1), takes office.

(c) FOREIGN TRADE ZONES AT SMALL AIRPORTS.—

(1) Paragraph (2) of section 13031(e) of Public Law 99-272 (19 U.S.C. 58c(e)(2)) is amended—

(A) by striking out “This subsection” and inserting in lieu thereof “(A) This subsection”, and

(B) by adding at the end thereof the following new subparagraph:

“(B) Subparagraph (C) of paragraph (6) shall not apply with respect to any foreign trade zone or subzone that is located at, or in the vicinity of, an airport to which section 236 of the Trade and Tariff Act of 1984 applies.”

(2) Section 236 of the Trade and Tariff Act of 1984 (19 U.S.C. 58b) is amended by adding at the end thereof the following new subsection:

“(f) For purposes of this section, customs services provided in connection with, or with respect to, any foreign trade zone or subzone that is located at, or in the vicinity of, any airport described in subsection (a) or designated under subsection (c) shall be considered to be customs services provided at such airport.”

New York.

(d) NORTHERN BORDER ENHANCEMENT PROGRAM.—The Commissioner of Customs shall provide the facilities, equipment, and staff at the port of entry at Chateaugay, New York, that are necessary to make the port of entry at Chateaugay, New York, a commercial center under the Northern Border Enhancement Program administered by the Commissioner of Customs.

(e) DISPOSITION OF FORFEITED PROPERTY.—

(1) Subparagraph (B) of section 616(c)(1) of the Tariff Act of 1930 (19 U.S.C. 1616a(c)(1)) is amended to read as follows:

“(B) Transfer any of the property to—

“(i) any other Federal agency;

“(ii) any State or local law enforcement agency that participated directly or indirectly in the seizure or forfeiture of the property; or

“(iii) the Civil Air Patrol.”

(2) Subsection (c) of section 616 of the Tariff Act of 1930 (19 U.S.C. 1616a(c)) is amended by adding at the end thereof the following new paragraph:

“(3) Aircraft may be transferred to the Civil Air Patrol under paragraph (1)(B)(iii) in support of air search and rescue and other emergency services and, pursuant to a memorandum of understanding entered into with a Federal agency, illegal drug traffic surveillance. Jet-powered aircraft may not be transferred to the Civil Air Patrol under the authority of paragraph (1)(B)(iii).”

Drugs and drug  
abuse.

(f) **USER FEE FOR CUSTOMS SERVICES AT SMALL SEAPORTS AND OTHER FACILITIES.**—

(1) Section 236 of the Trade and Tariff Act of 1984 (19 U.S.C. 58b), as amended by this Act, is further amended—

(A) by inserting “, seaport, or other facility” after “airport” each place it appears in the section other than in paragraphs (1) and (2) of subsection (a),

(B) by inserting “, seaports, and other facilities” after “airports” in subsection (c), and

(C) by inserting “AND OTHER FACILITIES” after “AIRPORTS” in the section heading.

(2) Paragraph (2) of section 13031(e) of Public Law 99-272, as amended by this Act, is further amended by inserting “, seaport, or other facility” after “airport” each place it appears. 19 USC 58c.

Approved December 7, 1989.

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**LEGISLATIVE HISTORY—S. 1164 (H.R. 2443):**

HOUSE REPORTS: No. 101-70 accompanying H.R. 2443 (Comm. on Ways and Means).

SENATE REPORTS: No. 101-48 (Comm. on Finance).

CONGRESSIONAL RECORD, Vol. 135 (1989):

Aug. 3, considered and passed Senate.

Nov. 20, considered and passed House, amended.

Nov. 21, Senate concurred in House amendment.