

## TRADE FACILITATION AND TRADE ENFORCEMENT ACT OF 2015

**Facilitates and streamlines the flow of legitimate trade:** Streamlining legitimate trade and providing benefits to trusted traders will increase U.S. competitiveness and create U.S. jobs. The conference report:

- Reduces paperwork burdens for low value shipments, U.S. goods returned, drawback, and residue.
- Establishes Centers for Excellence and Expertise within Customs and Border Protection (CBP).
- Improves consultations between CBP, Congress, and the trade community.
- Modernizes CBP's automated systems and continues authorization to complete the development and implementation of the Automated Commercial Environment (ACE) for processing imports and exports, and establishes reporting requirements for program accountability.
- Sets requirements and establishes deadlines so that all U.S. government import and export requirements are fulfilled through a single window, reducing costs and streamlining trade.
- Authorizes CBP to establish preclearance operations, subject to stringent notification, certification, and consultation requirements.

**Enforcement of U.S. trade laws:** Enforcing obligations in U.S. trade agreements, U.S. intellectual property rights and antidumping and countervailing duty laws, as well as combating currency manipulation, prevents competitors from gaining an unfair advantage. The conference report:

- Establishes tools for CBP and holds it accountable to effectively act against evasion of antidumping and countervailing duties through a new CBP process with strict deadlines and judicial review.
- Ensures that all distributions required by the Continued Dumping and Subsidy Offset Act are made.
- Establishes a new enforcement fund to provide the necessary resources to enforce our trade agreements.
- Expands Special 301 Report to include trade secrets, creates additional IP monitoring tools, and establishes a Chief Innovation and Intellectual Property negotiator.
- Requires CBP to provide IPR right holders with samples to identify counterfeits.
- Creates new oversight of trade enforcement by USTR.
- Establishes the Interagency Center on Trade Implementation, Monitoring, and Enforcement (ICTIME).
- Eliminates the "consumptive demand" exception to the prohibition on importing merchandise made by convict, forced, or indentured labor.
- Creates an early warning system to identify trade surges from unfair trade.
- Enhances targeting of high-risk shipments.
- Provides clear direction and robust tools for identifying and addressing currency manipulation.

**Strengthens TPA:** Includes revisions to strengthen U.S. leverage in trade negotiations. The conference report:

- Reaffirms that trade agreements must not include obligations for the United States regarding greenhouse gas emissions measures (other than those fulfilling other negotiating objectives in TPA), or require changes to U.S. immigration law or expanded visa access.
- Perfects human trafficking provisions to strengthen incentives to address human trafficking.
- Addresses barriers to fisheries trade, fisheries subsidies, and illegal fishing through a new negotiating objective.
- Ensures greater oversight of Administration nominees and at negotiating rounds.

**Bolsters U.S.-Israel trade and commercial ties:** Combats politically motivated acts of boycott against, divestment from, and sanctions against Israel.

**Promotes small business exports:** Authorizes the state trade expansion program and improves state and federal export promotion coordination and makes improvements so that small businesses fully benefit from trade agreements.

**Makes technical corrections for certain outerwear and footwear:** Makes technical corrections related to certain outerwear and footwear provisions in the Trade Preferences Extension Act of 2015.

**Commitment to the Miscellaneous Tariff Bill:** Includes a strong sense of Congress reaffirming commitment to advancing a miscellaneous tariff bill legislative process with robust consultation and consistent with House and Senate Rules.

**Supports recovery in Nepal:** Provides additional trade preferences to promote economic recovery in Nepal.

**Permanent Internet Tax Freedom Act:** Makes permanent the ban on states and localities taxing Internet access or placing multiple and discriminatory taxes on Internet commerce and allows grandfathered states and localities through June 2020 to phase-out existing taxes.

**Bill fully offset:** Extends customs user fees and increases penalties for failure to file a tax return.