

**AMENDMENT TO H.R. 5788, AS REPORTED  
OFFERED BY MR. BISHOP OF MICHIGAN**

Strike all after the enacting clause and insert the  
following:

**1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the  
3 “Synthetics Trafficking and Overdose Prevention Act of  
4 2018” or “STOP Act of 2018”.

5 (b) **TABLE OF CONTENTS.**—The table of contents for  
6 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Customs fees.
- Sec. 3. Mandatory advance electronic information for postal shipments.
- Sec. 4. International postal agreements.
- Sec. 5. Cost recoupment.
- Sec. 6. Development of technology to detect illicit narcotics.
- Sec. 7. Civil penalties for postal shipments.
- Sec. 8. Report on violations of arrival, reporting, entry, and clearance requirements and falsity or lack of manifest.
- Sec. 9. Effective date; regulations.

**7 SEC. 2. CUSTOMS FEES.**

8 (a) **IN GENERAL.**—Section 13031(b)(9) of the Con-  
9 solidated Omnibus Budget Reconciliation Act of 1985 (19  
10 U.S.C. 58c(b)(9)) is amended by adding at the end the  
11 following:

12 “(D)(i) With respect to the processing of items  
13 that are sent to the United States through the inter-  
14 national postal network by ‘Inbound Express Mail

1 service' or 'Inbound EMS' (as that service is de-  
2 scribed in the mail classification schedule referred to  
3 in section 3631 of title 39, United States Code), the  
4 following payments are required:

5 “(I) \$1 per Inbound EMS item.

6 “(II) If an Inbound EMS item is formally  
7 entered, the fee provided for under subsection  
8 (a)(9), if applicable.

9 “(ii) Notwithstanding section 451 of the Tariff  
10 Act of 1930 (19 U.S.C. 1451), the payments re-  
11 quired by clause (i), as allocated pursuant to clause  
12 (iii)(I), shall be the only payments required for reim-  
13 bursement of U.S. Customs and Border Protection  
14 for customs services provided in connection with the  
15 processing of an Inbound EMS item.

16 “(iii)(I) The payments required by clause (i)  
17 shall be allocated as follows:

18 “(aa) 50 percent of the amount of the pay-  
19 ments shall be paid on a quarterly basis by the  
20 United States Postal Service to the Commis-  
21 sioner of U.S. Customs and Border Protection  
22 in accordance with regulations prescribed by the  
23 Secretary of the Treasury to reimburse U.S.  
24 Customs and Border Protection for customs

1 services provided in connection with the proc-  
2 essing of Inbound EMS items.

3 “(bb) 50 percent of the amount of the pay-  
4 ments shall be retained by the Postal Service to  
5 reimburse the Postal Service for services pro-  
6 vided in connection with the customs processing  
7 of Inbound EMS items.

8 “(II) Payments received by U.S. Customs and  
9 Border Protection under subclause (I)(aa) shall, in  
10 accordance with section 524 of the Tariff Act of  
11 1930 (19 U.S.C. 1524), be deposited in the Customs  
12 User Fee Account and used to directly reimburse  
13 each appropriation for the amount paid out of that  
14 appropriation for the costs incurred in providing  
15 services to international mail facilities. Amounts de-  
16 posited in accordance with the preceding sentence  
17 shall be available until expended for the provision of  
18 such services.

19 “(III) Payments retained by the Postal Service  
20 under subclause (I)(bb) shall be used to directly re-  
21 imburse the Postal Service for the costs incurred in  
22 providing services in connection with the customs  
23 processing of Inbound EMS items.

24 “(iv) Beginning in fiscal year 2021, the Sec-  
25 retary, in consultation with the Postmaster General,

1        may adjust, not more frequently than once each fis-  
2        cal year, the amount described in clause (i)(I) to an  
3        amount commensurate with the costs of services pro-  
4        vided in connection with the customs processing of  
5        Inbound EMS items, consistent with the obligations  
6        of the United States under international agree-  
7        ments.”.

8        (b) CONFORMING AMENDMENTS.—Section 13031(a)  
9        of the Consolidated Omnibus Budget Reconciliation Act  
10       of 1985 (19 U.S.C. 58c(a)) is amended—

11            (1) in paragraph (6), by inserting “(other than  
12        an item subject to a fee under subsection  
13        (b)(9)(D))” after “customs officer”; and

14            (2) in paragraph (10)—

15                    (A) in subparagraph (C), in the matter  
16        preceding clause (i), by inserting “(other than  
17        Inbound EMS items described in subsection  
18        (b)(9)(D))” after “release”; and

19                    (B) in the flush at the end, by inserting  
20        “or of Inbound EMS items described in sub-  
21        section (b)(9)(D),” after “(C),”.

22        (c) EFFECTIVE DATE.—The amendments made by  
23        this section shall take effect on January 1, 2020.

1 **SEC. 3. MANDATORY ADVANCE ELECTRONIC INFORMATION**  
2 **FOR POSTAL SHIPMENTS.**

3 (a) MANDATORY ADVANCE ELECTRONIC INFORMA-  
4 TION.—

5 (1) IN GENERAL.—Section 343(a)(3)(K) of the  
6 Trade Act of 2002 (Public Law 107–210; 19 U.S.C.  
7 2071 note) is amended to read as follows:

8 “(K)(i) The Secretary shall prescribe regu-  
9 lations requiring the United States Postal Serv-  
10 ice to transmit the information described in  
11 paragraphs (1) and (2) to the Commissioner of  
12 U.S. Customs and Border Protection for inter-  
13 national mail shipments by the Postal Service  
14 (including shipments to the Postal Service from  
15 foreign postal operators that are transported by  
16 private carrier) consistent with the require-  
17 ments of this subparagraph.

18 “(ii) In prescribing regulations under  
19 clause (i), the Secretary shall impose require-  
20 ments for the transmission to the Commissioner  
21 of information described in paragraphs (1) and  
22 (2) for mail shipments described in clause (i)  
23 that are comparable to the requirements for the  
24 transmission of such information imposed on  
25 similar non-mail shipments of cargo, taking into

1 account the parameters set forth in subpara-  
2 graphs (A) through (J).

3 “(iii) The regulations prescribed under  
4 clause (i) shall require the transmission of the  
5 information described in paragraphs (1) and (2)  
6 with respect to a shipment as soon as prac-  
7 ticable in relation to the transportation of the  
8 shipment, consistent with subparagraph (H).

9 “(iv) Regulations prescribed under clause  
10 (i) shall allow for the requirements for the  
11 transmission to the Commissioner of informa-  
12 tion described in paragraphs (1) and (2) for  
13 mail shipments described in clause (i) to be im-  
14 plemented in phases, as appropriate, by—

15 “(I) setting incremental targets for in-  
16 creasing the percentage of such shipments  
17 for which information is required to be  
18 transmitted to the Commissioner; and

19 “(II) taking into consideration—

20 “(aa) the risk posed by such  
21 shipments;

22 “(bb) the volume of mail shipped  
23 to the United States by or through a  
24 particular country; and

1                   “(cc) the capacities of foreign  
2                   postal operators to provide that infor-  
3                   mation to the Postal Service.

4                   “(v)(I) Notwithstanding clause (iv), the  
5                   Postal Service shall, not later than December  
6                   31, 2018, arrange for the transmission to the  
7                   Commissioner of the information described in  
8                   paragraphs (1) and (2) for not less than 70  
9                   percent of the aggregate number of mail ship-  
10                  ments, including 100 percent of mail shipments  
11                  from the People’s Republic of China, described  
12                  in clause (i).

13                  “(II) If the requirements of subclause (I)  
14                  are not met, the Comptroller General of the  
15                  United States shall submit to the appropriate  
16                  congressional committees, not later than June  
17                  30, 2019, a report—

18                         “(aa) assessing the reasons for the  
19                         failure to meet those requirements; and

20                         “(bb) identifying recommendations to  
21                         improve the collection by the Postal Serv-  
22                         ice of the information described in para-  
23                         graphs (1) and (2).

24                  “(vi) Notwithstanding clause (iv), the  
25                  Postal Service shall, not later than December

1           31, 2020, arrange for the transmission to the  
2           Commissioner of the information described in  
3           paragraphs (1) and (2) for 100 percent of the  
4           aggregate number of mail shipments described  
5           in clause (i).

6           “(vii)(I) The Postmaster General shall, in  
7           consultation with the Commissioner, refuse any  
8           shipments received after December 31, 2020,  
9           for which the information described in para-  
10          graphs (1) and (2) is not transmitted as re-  
11          quired under this subparagraph, except as pro-  
12          vided in subclause (II).

13          “(II) If remedial action is warranted in  
14          lieu of refusal of a shipment pursuant to sub-  
15          clause (I), the Postmaster General and the  
16          Commissioner shall take remedial action with  
17          respect to the shipment, including destruction,  
18          seizure, controlled delivery or other law enforce-  
19          ment initiatives, or correction of the failure to  
20          provide the information described in paragraphs  
21          (1) and (2) with respect to the shipment.

22          “(viii) Nothing in this subparagraph shall  
23          be construed to limit the authority of the Sec-  
24          retary to obtain information relating to inter-



1 national mail shipments from private carriers or  
2 other appropriate parties.

3 “(ix) In this subparagraph, the term ‘ap-  
4 appropriate congressional committees’ means—

5 “(I) the Committee on Finance and  
6 the Committee on Homeland Security and  
7 Governmental Affairs of the Senate; and

8 “(II) the Committee on Ways and  
9 Means, the Committee on Oversight and  
10 Government Reform, and the Committee  
11 on Homeland Security of the House of  
12 Representatives.”.

13 (2) JOINT STRATEGIC PLAN ON MANDATORY  
14 ADVANCE INFORMATION.—Not later than 60 days  
15 after the date of the enactment of this Act, the Sec-  
16 retary of Homeland Security and the Postmaster  
17 General shall develop and submit to the appropriate  
18 congressional committees a joint strategic plan de-  
19 tailing specific performance measures for achiev-  
20 ing—

21 (A) the transmission of information as re-  
22 quired by section 343(a)(3)(K) of the Trade  
23 Act of 2002, as amended by paragraph (1); and

24 (B) the presentation by the Postal Service  
25 to U.S. Customs and Border Protection of all

1 mail targeted by U.S. Customs and Border Pro-  
2 tection for inspection.

3 (b) CAPACITY BUILDING.—

4 (1) IN GENERAL.—Section 343(a) of the Trade  
5 Act of 2002 (Public Law 107–210; 19 U.S.C. 2071  
6 note) is amended by adding at the end the following:

7 “(5) CAPACITY BUILDING.—

8 “(A) IN GENERAL.—The Secretary, with  
9 the concurrence of the Secretary of State, and  
10 in coordination with the Postmaster General  
11 and the heads of other Federal agencies, as ap-  
12 propriate, may provide technical assistance,  
13 equipment, technology, and training to enhance  
14 the capacity of foreign postal operators—

15 “(i) to gather and provide the infor-  
16 mation required by paragraph (3)(K); and

17 “(ii) to otherwise gather and provide  
18 postal shipment information related to—

19 “(I) terrorism;

20 “(II) items the importation or in-  
21 troduction of which into the United  
22 States is prohibited or restricted, in-  
23 cluding controlled substances; and

24 “(III) such other concerns as the  
25 Secretary determines appropriate.

1           “(B) PROVISION OF EQUIPMENT AND  
2           TECHNOLOGY.—With respect to the provision of  
3           equipment and technology under subparagraph  
4           (A), the Secretary may lease, loan, provide, or  
5           otherwise assist in the deployment of such  
6           equipment and technology under such terms  
7           and conditions as the Secretary may prescribe,  
8           including nonreimbursable loans or the transfer  
9           of ownership of equipment and technology.”.

10          (2) JOINT STRATEGIC PLAN ON CAPACITY  
11          BUILDING.—Not later than one year after the date  
12          of the enactment of this Act, the Secretary of Home-  
13          land Security and the Postmaster General shall, in  
14          consultation with the Secretary of State, jointly de-  
15          velop and submit to the appropriate congressional  
16          committees a joint strategic plan—

17                 (A) detailing the extent to which U.S. Cus-  
18                 toms and Border Protection and the United  
19                 States Postal Service are engaged in capacity  
20                 building efforts under section 343(a)(5) of the  
21                 Trade Act of 2002, as added by paragraph (1);

22                 (B) describing plans for future capacity  
23                 building efforts; and

24                 (C) assessing how capacity building has in-  
25                 creased the ability of U.S. Customs and Border

1           Protection and the Postal Service to advance  
2           the goals of this Act and the amendments made  
3           by this Act.

4           (c) REPORT AND CONSULTATIONS BY SECRETARY OF  
5 HOMELAND SECURITY AND POSTMASTER GENERAL.—

6           (1) REPORT.—Not later than 180 days after  
7           the date of the enactment of this Act, and annually  
8           thereafter until 3 years after the Postmaster Gen-  
9           eral has met the requirement under clause (vi) of  
10          subparagraph (K) of section 343(a)(3) of the Trade  
11          Act of 2002, as amended by subsection (a)(1), the  
12          Secretary of Homeland Security and the Postmaster  
13          General shall, in consultation with the Secretary of  
14          State, jointly submit to the appropriate congres-  
15          sional committees a report on compliance with that  
16          subparagraph that includes the following:

17                 (A) An assessment of the status of the reg-  
18                 ulations required to be promulgated under that  
19                 subparagraph.

20                 (B) An update regarding new and existing  
21                 agreements reached with foreign postal opera-  
22                 tors for the transmission of the information re-  
23                 quired by that subparagraph.

24                 (C) A summary of deliberations between  
25                 the United States Postal Service and foreign

1 postal operators with respect to issues relating  
2 to the transmission of that information.

3 (D) A summary of the progress made in  
4 achieving the transmission of that information  
5 for the percentage of shipments required by  
6 that subparagraph.

7 (E) An assessment of the quality of that  
8 information being received by foreign postal op-  
9 erators, as determined by the Secretary of  
10 Homeland Security, and actions taken to im-  
11 prove the quality of that information.

12 (F) A summary of policies established by  
13 the Universal Postal Union that may affect the  
14 ability of the Postmaster General to obtain the  
15 transmission of that information.

16 (G) A summary of the use of technology to  
17 detect illicit synthetic opioids and other illegal  
18 substances in international mail parcels and  
19 planned acquisitions and advancements in such  
20 technology.

21 (H) Such other information as the Sec-  
22 retary of Homeland Security and the Post-  
23 master General consider appropriate with re-  
24 spect to obtaining the transmission of informa-  
25 tion required by that subparagraph.

1           (2) CONSULTATIONS.—Not later than 180 days  
2 after the date of the enactment of this Act, and  
3 every 180 days thereafter until the Postmaster Gen-  
4 eral has met the requirement under clause (vi) of  
5 section 343(a)(3)(K) of the Trade Act of 2002, as  
6 amended by subsection (a)(1), to arrange for the  
7 transmission of information with respect to 100 per-  
8 cent of the aggregate number of mail shipments de-  
9 scribed in clause (i) of that section, the Secretary of  
10 Homeland Security and the Postmaster General  
11 shall provide briefings to the appropriate congres-  
12 sional committees on the progress made in achieving  
13 the transmission of that information for that per-  
14 centage of shipments.

15           (d) GOVERNMENT ACCOUNTABILITY OFFICE RE-  
16 PORT.—Not later than June 30, 2019, the Comptroller  
17 General of the United States shall submit to the appro-  
18 priate congressional committees a report—

19           (1) assessing the progress of the United States  
20 Postal Service in achieving the transmission of the  
21 information required by subparagraph (K) of section  
22 343(a)(3) of the Trade Act of 2002, as amended by  
23 subsection (a)(1), for the percentage of shipments  
24 required by that subparagraph;

1           (2) assessing the quality of the information re-  
2           ceived from foreign postal operators for targeting  
3           purposes;

4           (3) assessing the specific percentage of targeted  
5           mail presented by the Postal Service to U.S. Cus-  
6           toms and Border Protection for inspection;

7           (4) describing the costs of collecting the infor-  
8           mation required by such subparagraph (K) from for-  
9           eign postal operators and the costs of implementing  
10          the use of that information;

11          (5) assessing the benefits of receiving that in-  
12          formation with respect to international mail ship-  
13          ments;

14          (6) assessing the feasibility of assessing a cus-  
15          toms fee under section 13031(b)(9) of the Consoli-  
16          dated Omnibus Budget Reconciliation Act of 1985,  
17          as amended by section 2, on international mail ship-  
18          ments other than Inbound Express Mail service in a  
19          manner consistent with the obligations of the United  
20          States under international agreements; and

21          (7) identifying recommendations, including rec-  
22          ommendations for legislation, to improve the compli-  
23          ance of the Postal Service with such subparagraph  
24          (K), including an assessment of whether the detec-

1           tion of illicit synthetic opioids in the international  
2           mail would be improved by—

3                   (A) requiring the Postal Service to serve as  
4                   the consignee for international mail shipments  
5                   containing goods; or

6                   (B) designating a customs broker to act as  
7                   an importer of record for international mail  
8                   shipments containing goods.

9           (e) **TECHNICAL CORRECTION.**—Section 343 of the  
10   Trade Act of 2002 (Public Law 107–210; 19 U.S.C. 2071  
11   note) is amended in the section heading by striking “**AD-**  
12   **VANCED**” and inserting “**ADVANCE**”.

13           (f) **APPROPRIATE CONGRESSIONAL COMMITTEES DE-**  
14   **FINED.**—In this section, the term “appropriate congres-  
15   sional committees” means—

16                   (1) the Committee on Finance and the Com-  
17                   mittee on Homeland Security and Governmental Af-  
18                   fairs of the Senate; and

19                   (2) the Committee on Ways and Means, the  
20                   Committee on Oversight and Government Reform,  
21                   and the Committee on Homeland Security of the  
22                   House of Representatives.

23   **SEC. 4. INTERNATIONAL POSTAL AGREEMENTS.**

24           (a) **EXISTING AGREEMENTS.**—



1           (1) IN GENERAL.—In the event that any provi-  
2           sion of this Act, or any amendment made by this  
3           Act, is determined to be in violation of obligations  
4           of the United States under any postal treaty, con-  
5           vention, or other international agreement related to  
6           international postal services, or any amendment to  
7           such an agreement, the Secretary of State should  
8           negotiate to amend the relevant provisions of the  
9           agreement so that the United States is no longer in  
10          violation of the agreement.

11          (2) RULE OF CONSTRUCTION.—Nothing in this  
12          subsection shall be construed to permit delay in the  
13          implementation of this Act or any amendment made  
14          by this Act.

15          (b) FUTURE AGREEMENTS.—

16           (1) CONSULTATIONS.—Before entering into, on  
17           or after the date of the enactment of this Act, any  
18           postal treaty, convention, or other international  
19           agreement related to international postal services, or  
20           any amendment to such an agreement, that is re-  
21           lated to the ability of the United States to secure  
22           the provision of advance electronic information by  
23           foreign postal operators, the Secretary of State  
24           should consult with the appropriate congressional  
25           committees (as defined in section 3(f)).

1           (2) EXPEDITED NEGOTIATION OF NEW AGREE-  
2           MENT.—To the extent that any new postal treaty,  
3           convention, or other international agreement related  
4           to international postal services would improve the  
5           ability of the United States to secure the provision  
6           of advance electronic information by foreign postal  
7           operators as required by regulations prescribed  
8           under section 343(a)(3)(K) of the Trade Act of  
9           2002, as amended by section 3(a)(1), the Secretary  
10          of State should expeditiously conclude such an  
11          agreement.

12 **SEC. 5. COST RECOUPMENT.**

13          (a) IN GENERAL.—The United States Postal Service  
14          shall, to the extent practicable and otherwise recoverable  
15          by law, ensure that all costs associated with complying  
16          with this Act and amendments made by this Act are  
17          charged directly to foreign shippers or foreign postal oper-  
18          ators.

19          (b) COSTS NOT CONSIDERED REVENUE.—The recov-  
20          ery of costs under subsection (a) shall not be deemed rev-  
21          enue for purposes of subchapter I and II of chapter 36  
22          of title 39, United States Code, or regulations prescribed  
23          under that chapter.

1 **SEC. 6. DEVELOPMENT OF TECHNOLOGY TO DETECT IL-**  
2 **LICIT NARCOTICS.**

3 (a) IN GENERAL.—The Postmaster General and the  
4 Commissioner of U.S. Customs and Border Protection, in  
5 coordination with the heads of other agencies as appro-  
6 priate, shall collaborate to identify and develop technology  
7 for the detection of illicit fentanyl, other synthetic opioids,  
8 and other narcotics and psychoactive substances entering  
9 the United States by mail.

10 (b) OUTREACH TO PRIVATE SECTOR.—The Post-  
11 master General and the Commissioner shall conduct out-  
12 reach to private sector entities to gather information re-  
13 garding the current state of technology to identify areas  
14 for innovation relating to the detection of illicit fentanyl,  
15 other synthetic opioids, and other narcotics and  
16 psychoactive substances entering the United States.

17 **SEC. 7. CIVIL PENALTIES FOR POSTAL SHIPMENTS.**

18 Section 436 of the Tariff Act of 1930 (19 U.S.C.  
19 1436) is amended by adding at the end the following new  
20 subsection:

21 “(e) CIVIL PENALTIES FOR POSTAL SHIPMENTS.—

22 “(1) CIVIL PENALTY.—A civil penalty shall be  
23 imposed against the United States Postal Service if  
24 the Postal Service accepts a shipment in violation of  
25 section 343(a)(3)(K)(vii)(I) of the Trade Act of  
26 2002.

1           “(2) MODIFICATION OF CIVIL PENALTY.—

2                   “(A) IN GENERAL.—U.S. Customs and  
3 Border Protection shall reduce or dismiss a civil  
4 penalty imposed pursuant to paragraph (1) if  
5 U.S. Customs and Border Protection deter-  
6 mines that the United States Postal Service—

7                           “(i) has a low error rate in compliance  
8 with section 343(a)(3)(K) of the Trade Act  
9 of 2002;

10                           “(ii) is cooperating with U.S. Customs  
11 and Border Protection with respect to the  
12 violation of section 343(a)(3)(K)(vii)(I) of  
13 the Trade Act of 2002; and

14                           “(iii) has taken remedial action to  
15 prevent future violations of section  
16 343(a)(3)(K)(vii)(I) of the Trade Act of  
17 2002.

18                   “(B) WRITTEN NOTIFICATION.—U.S. Cus-  
19 toms and Border Protection shall issue a writ-  
20 ten notification to the Postal Service with re-  
21 spect to each exercise of the authority of sub-  
22 paragraph (A) to reduce or dismiss a civil pen-  
23 alty imposed pursuant to paragraph (1).

1           “(3) ONGOING LACK OF COMPLIANCE.—If U.S.  
2 Customs and Border Protection determines that the  
3 United States Postal Service—

4           “(A) has repeatedly committed violations  
5 of section 343(a)(3)(K)(vii)(I) of the Trade Act  
6 of 2002,

7           “(B) has failed to cooperate with U.S.  
8 Customs and Border Protection with respect to  
9 violations of section 343(a)(3)(K)(vii)(I) of the  
10 Trade Act of 2002, or

11           “(C) has an increasing error rate in com-  
12 pliance with section 343(a)(3)(K) of the Trade  
13 Act of 2002,

14 civil penalties shall be imposed against the United  
15 States Postal Service until corrective action, satis-  
16 factory to U.S. Customs and Border Protection, is  
17 taken.”.

18 **SEC. 8. REPORT ON VIOLATIONS OF ARRIVAL, REPORTING,**  
19 **ENTRY, AND CLEARANCE REQUIREMENTS**  
20 **AND FALSITY OR LACK OF MANIFEST.**

21 (a) IN GENERAL.—The Commissioner of U.S. Cus-  
22 toms and Border Protection shall submit to the appro-  
23 priate congressional committees an annual report that  
24 contains the information described in subsection (b) with  
25 respect to each violation of section 436 of the Tariff Act

1 of 1930 (19 U.S.C. 1436), as amended by section 7, and  
2 section 584 of such Act (19 U.S.C. 1584) that occurred  
3 during the previous year.

4 (b) INFORMATION DESCRIBED.—The information de-  
5 scribed in this subsection is the following:

6 (1) The name and address of the violator.

7 (2) The specific violation that was committed.

8 (3) The location or port of entry through which  
9 the items were transported.

10 (4) An inventory of the items seized, including  
11 a description of the items and the quantity seized.

12 (5) The location from which the items origi-  
13 nated.

14 (6) The entity responsible for the apprehension  
15 or seizure, organized by location or port of entry.

16 (7) The amount of penalties assessed by U.S.  
17 Customs and Border Protection, organized by name  
18 of the violator and location or port of entry.

19 (8) The amount of penalties that U.S. Customs  
20 and Border Protection could have levied, organized  
21 by name of the violator and location or port of entry.

22 (9) The rationale for negotiating lower pen-  
23 alties, organized by name of the violator and location  
24 or port of entry.

1 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
2 FINED.—In this section, the term “appropriate congres-  
3 sional committees” means—

4 (1) the Committee on Finance and the Com-  
5 mittee on Homeland Security and Governmental Af-  
6 fairs of the Senate; and

7 (2) the Committee on Ways and Means, the  
8 Committee on Oversight and Government Reform,  
9 and the Committee on Homeland Security of the  
10 House of Representatives.

11 **SEC. 9. EFFECTIVE DATE; REGULATIONS.**

12 (a) EFFECTIVE DATE.—This Act and the amend-  
13 ments made by this Act (other than the amendments made  
14 by section 2) shall take effect on the date of the enactment  
15 of this Act.

16 (b) REGULATIONS.—Not later than one year after the  
17 date of the enactment of this Act, such regulations as are  
18 necessary to carry out this Act and the amendments made  
19 by this Act shall be prescribed.

