

106TH CONGRESS  
1ST SESSION

# S. 689

To authorize appropriations for the United States Customs Service for fiscal years 2000 and 2001, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MARCH 23, 1999

Mr. GRASSLEY (for himself and Mr. GRAHAM) introduced the following bill;  
which was read twice and referred to the Committee on Finance

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## A BILL

To authorize appropriations for the United States Customs Service for fiscal years 2000 and 2001, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Comprehensive Border  
5 Protection Act of 1999”.

1 **TITLE I—AUTHORIZATION OF**  
 2 **APPROPRIATIONS FOR**  
 3 **UNITED STATES CUSTOMS**  
 4 **SERVICE FOR ENHANCED IN-**  
 5 **SPECTION, TRADE FACILITA-**  
 6 **TION, AND DRUG INTERDIC-**  
 7 **TION**

8 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

9 (a) **DRUG ENFORCEMENT AND OTHER NONCOMMER-**  
 10 **CIAL OPERATIONS.**—Subparagraphs (A) and (B) of sec-  
 11 tion 301(b)(1) of the Customs Procedural Reform and  
 12 Simplification Act of 1978 (19 U.S.C. 2075(b)(1)(A) and  
 13 (B)) are amended to read as follows:

14 “(A) \$1,019,608,384 for fiscal year 2000.

15 “(B) \$1,111,450,668 for fiscal year  
 16 2001.”.

17 (b) **COMMERCIAL OPERATIONS.**—Clauses (i) and (ii)  
 18 of section 301(b)(2)(A) of such Act (19 U.S.C.  
 19 2075(b)(2)(A)(i) and (ii)) are amended to read as follows:

20 “(i) \$990,030,000 for fiscal year 2000.

21 “(ii) \$1,009,312,000 for fiscal year  
 22 2001.”.

23 (c) **AIR AND MARINE INTERDICTION.**—Subpara-  
 24 graphs (A) and (B) of section 301(b)(3) of such Act (19

1 U.S.C. 2075(b)(3)(A) and (B)) are amended to read as  
2 follows:

3 “(A) \$229,001,000 for fiscal year 2000.

4 “(B) \$176,967,000 for fiscal year 2001.”.

5 (d) SUBMISSION OF OUT-YEAR BUDGET PROJEC-  
6 TIONS.—Section 301(a) of such Act (19 U.S.C. 2075(a))  
7 is amended by adding at the end the following:

8 “(3) By no later than the date on which the President  
9 submits to Congress the budget of the United States Gov-  
10 ernment for a fiscal year, the Commissioner of Customs  
11 shall submit to the Committee on Ways and Means of the  
12 House of Representatives and the Committee on Finance  
13 of the Senate the projected amount of funds for the suc-  
14 ceeding fiscal year that will be necessary for the operations  
15 of the Customs Service as provided for in subsection (b).”.

16 **SEC. 102. CARGO INSPECTION AND NARCOTICS DETECTION**  
17 **EQUIPMENT FOR THE UNITED STATES-MEX-**  
18 **ICO BORDER, UNITED STATES-CANADA BOR-**  
19 **DER, AND FLORIDA AND GULF COAST SEA-**  
20 **PORTS.**

21 (a) FISCAL YEAR 2000.—Of the amounts made avail-  
22 able for fiscal year 2000 under section 301(b)(1)(A) of  
23 the Customs Procedural Reform and Simplification Act of  
24 1978 (19 U.S.C. 2075(b)(1)(A)), as amended by section  
25 101(a) of this Act, \$100,036,000 shall be available until

1 expended for acquisition and other expenses associated  
2 with implementation and deployment of narcotics detec-  
3 tion equipment along the United States-Mexico border, the  
4 United States-Canada border, and Florida and the Gulf  
5 Coast seaports, as follows:

6 (1) UNITED STATES-MEXICO BORDER.—For the  
7 United States-Mexico border, the following:

8 (A) \$6,000,000 for 8 Vehicle and Con-  
9 tainer Inspection Systems (VACIS).

10 (B) \$11,000,000 for 5 mobile truck x-rays  
11 with transmission and backscatter imaging.

12 (C) \$12,000,000 for the upgrade of 8  
13 fixed-site truck x-rays from the present energy  
14 level of 450,000 electron volts to 1,000,000  
15 electron volts (1-MeV).

16 (D) \$7,200,000 for 8 1-MeV pallet x-rays.

17 (E) \$1,000,000 for 200 portable contra-  
18 band detectors (busters) to be distributed  
19 among ports where the current allocations are  
20 inadequate.

21 (F) \$600,000 for 50 contraband detection  
22 kits to be distributed among all southwest bor-  
23 der ports based on traffic volume.

24 (G) \$500,000 for 25 ultrasonic container  
25 inspection units to be distributed among all

1 ports receiving liquid-filled cargo and to ports  
2 with a hazardous material inspection facility.

3 (H) \$2,450,000 for 7 automated targeting  
4 systems.

5 (I) \$360,000 for 30 rapid tire deflator sys-  
6 tems to be distributed to those ports where port  
7 runners are a threat.

8 (J) \$480,000 for 20 portable Treasury En-  
9 forcement Communications Systems (TECS)  
10 terminals to be moved among ports as needed.

11 (K) \$1,000,000 for 20 remote watch sur-  
12 veillance camera systems at ports where there  
13 are suspicious activities at loading docks, vehi-  
14 cle queues, secondary inspection lanes, or areas  
15 where visual surveillance or observation is ob-  
16 scured.

17 (L) \$1,254,000 for 57 weigh-in-motion  
18 sensors to be distributed among the ports with  
19 the greatest volume of outbound traffic.

20 (M) \$180,000 for 36 AM traffic informa-  
21 tion radio stations, with 1 station to be located  
22 at each border crossing.

23 (N) \$1,040,000 for 260 inbound vehicle  
24 counters to be installed at every inbound vehicle  
25 lane.

1 (O) \$950,000 for 38 spotter camera sys-  
2 tems to counter the surveillance of customs in-  
3 spection activities by persons outside the bound-  
4 aries of ports where such surveillance activities  
5 are occurring.

6 (P) \$390,000 for 60 inbound commercial  
7 truck transponders to be distributed to all ports  
8 of entry.

9 (Q) \$1,600,000 for 40 narcotics vapor and  
10 particle detectors to be distributed to each bor-  
11 der crossing.

12 (R) \$400,000 for license plate reader auto-  
13 matic targeting software to be installed at each  
14 port to target inbound vehicles.

15 (S) \$1,000,000 for a demonstration site  
16 for a high-energy relocatable rail car inspection  
17 system with an x-ray source switchable from  
18 2,000,000 electron volts (2-MeV) to 6,000,000  
19 electron volts (6-MeV) at a shared Department  
20 of Defense testing facility for a two-month test-  
21 ing period.

22 (2) UNITED STATES-CANADA BORDER.—For the  
23 United States-Canada border, the following:

24 (A) \$3,000,000 for 4 Vehicle and Con-  
25 tainer Inspection Systems (VACIS).

1 (B) \$8,800,000 for 4 mobile truck x-rays  
2 with transmission and backscatter imaging.

3 (C) \$3,600,000 for 4 1-MeV pallet x-rays.

4 (D) \$250,000 for 50 portable contraband  
5 detectors (busters) to be distributed among  
6 ports where the current allocations are inad-  
7 equate.

8 (E) \$300,000 for 25 contraband detection  
9 kits to be distributed among ports based on  
10 traffic volume.

11 (F) \$240,000 for 10 portable Treasury  
12 Enforcement Communications Systems (TECS)  
13 terminals to be moved among ports as needed.

14 (G) \$400,000 for 10 narcotics vapor and  
15 particle detectors to be distributed to each bor-  
16 der crossing based on traffic volume.

17 (H) \$600,000 for 30 fiber optic scopes.

18 (I) \$250,000 for 50 portable contraband  
19 detectors (busters) to be distributed among  
20 ports where the current allocations are inad-  
21 equate.

22 (J) \$3,000,000 for 10 x-ray vans with par-  
23 ticle detectors.

24 (K) \$40,000 for 8 AM loop radio systems.

25 (L) \$400,000 for 100 vehicle counters.

1 (M) \$1,200,000 for 12 examination tool  
2 trucks.

3 (N) \$2,400,000 for 3 dedicated commuter  
4 lanes.

5 (O) \$1,050,000 for 3 automated targeting  
6 systems.

7 (P) \$572,000 for 26 weigh-in-motion sen-  
8 sors.

9 (Q) \$480,000 for 20 portable Treasury  
10 Enforcement Communication Systems (TECS).

11 (3) FLORIDA AND GULF COAST SEAPORTS.—  
12 For Florida and the Gulf Coast seaports, the fol-  
13 lowing:

14 (A) \$4,500,000 for 6 Vehicle and Con-  
15 tainer Inspection Systems (VACIS).

16 (B) \$11,800,000 for 5 mobile truck x-rays  
17 with transmission and backscatter imaging.

18 (C) \$7,200,000 for 8 1-MeV pallet x-rays.

19 (D) \$250,000 for 50 portable contraband  
20 detectors (busters) to be distributed among  
21 ports where the current allocations are inad-  
22 equate.

23 (E) \$300,000 for 25 contraband detection  
24 kits to be distributed among ports based on  
25 traffic volume.



1           (b) FISCAL YEAR 2001.—Of the amounts made avail-  
2 able for fiscal year 2001 under section 301(b)(1)(B) of  
3 the Customs Procedural Reform and Simplification Act of  
4 1978 (19 U.S.C. 2075(b)(1)(B)), as amended by section  
5 101(a) of this Act, \$9,923,500 shall be for the mainte-  
6 nance and support of the equipment and training of per-  
7 sonnel to maintain and support the equipment described  
8 in subsection (a).

9           (c) ACQUISITION OF TECHNOLOGICALLY SUPERIOR  
10 EQUIPMENT; TRANSFER OF FUNDS.—

11           (1) IN GENERAL.—The Commissioner of Cus-  
12 toms may use amounts made available for fiscal year  
13 2000 under section 301(b)(1)(A) of the Customs  
14 Procedural Reform and Simplification Act of 1978  
15 (19 U.S.C. 2075(b)(1)(A)), as amended by section  
16 101(a) of this Act, for the acquisition of equipment  
17 other than the equipment described in subsection (a)  
18 if such other equipment—

19                   (A)(i) is technologically superior to the  
20 equipment described in subsection (a); and

21                   (ii) will achieve at least the same results at  
22 a cost that is the same or less than the equip-  
23 ment described in subsection (a); or

24                   (B) is technologically equivalent to the  
25 equipment described in subsection (a) and can

1 be obtained at a lower cost than the equipment  
2 described in subsection (a).

3 (2) TRANSFER OF FUNDS.—Notwithstanding  
4 any other provision of this section, the Commissioner  
5 of Customs may reallocate an amount not to exceed  
6 10 percent of—

7 (A) the amount specified in any of sub-  
8 paragraphs (A) through (R) of subsection  
9 (a)(1) for equipment specified in any other of  
10 such subparagraphs (A) through (R);

11 (B) the amount specified in any of sub-  
12 paragraphs (A) through (Q) of subsection  
13 (a)(2) for equipment specified in any other of  
14 such subparagraphs (A) through (Q); and

15 (C) the amount specified in any of sub-  
16 paragraphs (A) through (E) of subsection  
17 (a)(3) for equipment specified in any other of  
18 such subparagraphs (A) through (E).

19 **SEC. 103. PEAK HOURS AND INVESTIGATIVE RESOURCE EN-**  
20 **HANCEMENT FOR THE UNITED STATES-MEX-**  
21 **ICO AND UNITED STATES-CANADA BORDERS,**  
22 **FLORIDA AND GULF COAST SEAPORTS, AND**  
23 **THE BAHAMAS.**

24 Of the amounts made available for fiscal years 2000  
25 and 2001 under subparagraphs (A) and (B) of section

1 301(b)(1) of the Customs Procedural Reform and Sim-  
2 plification Act of 1978 (19 U.S.C. 2075(b)(1)(A) and  
3 (B)), as amended by section 101(a) of this Act,  
4 \$181,864,800 for fiscal year 2000 (including \$5,673,600  
5 until expended for investigative equipment) and  
6 \$230,983,340 for fiscal year 2001 shall be available for  
7 the following:

8           (1) A net increase of 535 inspectors, 120 spe-  
9           cial agents, and 10 intelligence analysts for the  
10           United States-Mexico border, and 375 inspectors for  
11           the United States-Canada border, in order to open  
12           all primary lanes on such borders during peak hours  
13           and enhance investigative resources.

14           (2) A net increase of 285 inspectors and canine  
15           enforcement officers to be distributed at large cargo  
16           facilities as needed to process and screen cargo (in-  
17           cluding rail cargo) and reduce commercial waiting  
18           times on the United States-Mexico border and a net  
19           increase of 125 inspectors to be distributed at large  
20           cargo facilities as needed to process and screen  
21           cargo (including rail cargo) and reduce commercial  
22           waiting times on the United States-Canada border.

23           (3) A net increase of 40 special agents and 10  
24           intelligence analysts to facilitate the activities of the

1 additional inspectors authorized under paragraphs  
2 (1) and (2).

3 (4) A net increase of 40 inspectors at sea ports  
4 in southeast Florida to process and screen cargo.

5 (5) A net increase of 70 special agent positions,  
6 23 intelligence analyst positions, 9 support staff po-  
7 sitions, and the necessary equipment to enhance in-  
8 vestigation efforts targeted at internal conspiracies  
9 at the Nation's seaports.

10 (6) A net increase of 360 special agents, 30 in-  
11 telligence analysts, and additional resources to be  
12 distributed among offices that have jurisdiction over  
13 major metropolitan drug or narcotics distribution  
14 and transportation centers for intensification of ef-  
15 forts against drug smuggling and money-laundering  
16 organizations.

17 (7) A net increase of 2 special agent positions  
18 to re-establish a Customs Attache office in Nassau.

19 (8) A net increase of 62 special agent positions  
20 and 8 intelligence analyst positions for maritime  
21 smuggling investigations and interdiction operations.

22 (9) A net increase of 50 positions and addi-  
23 tional resources to the Office of Internal Affairs to  
24 enhance investigative resources for anticorruption ef-  
25 forts.

1           (10) The costs incurred as a result of the in-  
2           crease in personnel hired pursuant to this section.

3 **SEC. 104. AGENT ROTATIONS; ELIMINATION OF BACKLOG**  
4 **OF BACKGROUND INVESTIGATIONS.**

5           Of the amounts made available for fiscal years 2000  
6 and 2001 under section 301(b)(1) (A) and (B) of the Cus-  
7 toms Procedural Reform and Simplification Act of 1978  
8 (19 U.S.C. 2075(b)(1) (A) and (B)), as amended by sec-  
9 tion 101(a) of this Act, \$16,000,000 for fiscal year 2000  
10 (including \$10,000,000 until expended) and \$6,000,000  
11 for fiscal year 2001 shall be available to—

12           (1) provide additional funding to clear the  
13 backlog of existing background investigations and to  
14 provide for background investigations during ex-  
15 traordinary recruitment activities of the agency; and

16           (2) provide for the interoffice transfer of up to  
17 100 special agents, including costs related to reloca-  
18 tions, between the Office of Investigations and Office  
19 of Internal Affairs, at the discretion of the Commis-  
20 sioner of Customs.

21 **SEC. 105. AIR AND MARINE OPERATION AND MAINTENANCE**  
22 **FUNDING.**

23           (a) FISCAL YEAR 2000.—Of the amounts made avail-  
24 able for fiscal year 2000 under subparagraphs (A) and  
25 (B) of section 301(b)(3) of the Customs Procedural Re-

1 form and Simplification Act of 1978 (19 U.S.C.  
2 2075(b)(3) (A) and (B)) as amended by section 101(c)  
3 of this Act, \$130,513,000 shall be available until expended  
4 for the following:

5 (1) \$96,500,000 for Customs Service aircraft  
6 restoration and replacement initiative.

7 (2) \$15,000,000 for increased air interdiction  
8 and investigative support activities.

9 (3) \$19,013,000 for marine vessel replacement  
10 and related equipment.

11 (b) FISCAL YEAR 2001.—Of the amounts made avail-  
12 able for fiscal year 2001 under subparagraphs (A) and  
13 (B) of section 301(b)(3) of the Customs Procedural Re-  
14 form and Simplification Act of 1978 (19 U.S.C.  
15 2075(b)(3) (A) and (B)) as amended by section 101(c)  
16 of this Act, \$75,524,000 shall be available until expended  
17 for the following:

18 (1) \$36,500,000 for Customs Service aircraft  
19 restoration and replacement.

20 (2) \$15,000,000 for increased air interdiction  
21 and investigative support activities.

22 (3) \$24,024,000 for marine vessel replacement  
23 and related equipment.

1 **SEC. 106. COMPLIANCE WITH PERFORMANCE PLAN RE-**  
2 **QUIREMENTS.**

3 As part of the annual performance plan for each of  
4 fiscal years 2000 and 2001 covering each program activity  
5 set forth in the budget of the United States Customs Serv-  
6 ice, as required under section 1115 of title 31, United  
7 States Code, the Commissioner of Customs shall establish  
8 performance goals and performance indicators, and com-  
9 ply with all other requirements contained in paragraphs  
10 (1) through (6) of subsection (a) of such section with re-  
11 spect to each of the activities to be carried out pursuant  
12 to sections 102 and 103 of this Act.

13 **SEC. 107. COMMISSIONER OF CUSTOMS SALARY.**

14 (a) IN GENERAL.—

15 (1) Section 5315 of title 5, United States Code,  
16 is amended by striking the following item:

17 “Commissioner of Customs, Department of  
18 Treasury.”.

19 (2) Section 5314 of title 5, United States Code,  
20 is amended by inserting the following item:

21 “Commissioner of Customs, Department of  
22 Treasury.”.

23 (b) EFFECTIVE DATE.—The amendments made by  
24 this section shall take effect on October 1, 1999.

1 **SEC. 108. PASSENGER PRECLEARANCE SERVICES.**

2 (a) CONTINUATION OF PRECLEARANCE SERVICES.—  
3 Notwithstanding section 13031(f) of the Consolidated  
4 Omnibus Budget Reconciliation Act of 1985 (19 U.S.C.  
5 58c(f)) or any other provision of law, the Customs Service  
6 shall, without regard to whether a passenger processing  
7 fee is collected from a person departing for the United  
8 States from Canada and without regard to whether funds  
9 are appropriated pursuant to subsection (b), provide the  
10 same level of enhanced preclearance customs services for  
11 passengers arriving in the United States aboard commer-  
12 cial aircraft originating in Canada as the Customs Service  
13 provided for such passengers during fiscal year 1997.

14 (b) AUTHORIZATION OF APPROPRIATIONS FOR  
15 PRECLEARANCE SERVICES.—Notwithstanding section  
16 13031(f) of the Consolidated Omnibus Budget Reconcili-  
17 ation Act of 1985 (19 U.S.C. 58c(f)) or any other provi-  
18 sion of law, there are authorized to be appropriated, from  
19 the date of the enactment of this Act through September  
20 30, 2001, such sums as may be necessary for the Customs  
21 Service to ensure that it will continue to provide the same,  
22 and where necessary increased, levels of enhanced  
23 preclearance customs services as the Customs Service pro-  
24 vided during fiscal year 1997, in connection with the ar-  
25 rival in the United States of passengers aboard commer-  
26 cial aircraft whose flights originated in Canada.



1                   **TITLE II—CUSTOMS**  
2                   **PERFORMANCE REPORT**

3 **SEC. 201. CUSTOMS PERFORMANCE REPORT.**

4           (a) **IN GENERAL.**—Not later than 120 days after the  
5 date of the enactment of this Act, the Commissioner of  
6 Customs shall prepare and submit to the appropriate com-  
7 mittees the report described in subsection (b).

8           (b) **REPORT DESCRIBED.**—The report described in  
9 this subsection shall include the following:

10                   (1) **IDENTIFICATION OF OBJECTIVES; ESTAB-**  
11 **LISHMENT OF PRIORITIES.**—

12                   (A) An outline of the means the Customs  
13 Service intends to use to identify enforcement  
14 priorities and trade facilitation objectives.

15                   (B) The reasons for selecting the objectives  
16 contained in the most recent plan submitted by  
17 the Customs Service pursuant to section 1115  
18 of title 31, United States Code.

19                   (C) The performance standards against  
20 which the appropriate committees can assess  
21 the efforts of the Customs Service in reaching  
22 the goals outlined in the plan described in sub-  
23 paragraph (B).

24                   (D) A model for—

1 (i) improving the Customs Service's  
2 ability to identify violations of Customs  
3 policies and procedures and related civil  
4 and criminal statutes; and

5 (ii) ensuring the effective, efficient,  
6 and equitable administration of discipline  
7 throughout the Customs Service.

8 (2) IMPLEMENTATION OF CUSTOMS MOD-  
9 ERNIZATION ACT.—

10 (A) A review of the Customs Service's im-  
11 plementation of title VI of the North American  
12 Free Trade Agreement Implementation Act,  
13 commonly known as the "Customs Moderniza-  
14 tion Act", and the reasons why elements of that  
15 Act, if any, have not been implemented.

16 (B) A review of the effectiveness of the in-  
17 formed compliance strategy in obtaining higher  
18 levels of compliance, particularly compliance by  
19 those industries that have been the focus of the  
20 most intense efforts by the Customs Service to  
21 ensure compliance with the Customs Moderniza-  
22 tion Act.

23 (C) A summary of the results of the re-  
24 views of the initial industry-wide compliance as-  
25 sessments conducted by the Customs Service as

1 part of the agency's informed compliance initia-  
2 tive.

3 (3) IMPROVEMENT OF COMMERCIAL OPER-  
4 ATIONS.—

5 (A) Identification of standards to be used  
6 in assessing the performance and efficiency of  
7 the commercial operations of the Customs Serv-  
8 ice, including entry and inspection procedures,  
9 classification, valuation, country-of-origin deter-  
10 minations, and duty drawback determinations.

11 (B) Proposals for—

12 (i) improving the performance of the  
13 commercial operations of the Customs  
14 Service, particularly the functions de-  
15 scribed in subparagraph (A), and

16 (ii) eliminating lengthy delays in ob-  
17 taining rulings and other forms of guid-  
18 ance on United States customs law, regula-  
19 tions, procedures, or policies.

20 (C) Alternative strategies for ensuring that  
21 United States importers, exporters, customs  
22 brokers, and other members of the trade com-  
23 munity have the information necessary to com-  
24 ply with the customs laws of the United States

1 and to conduct their business operations ac-  
2 cordingly.

3 (4) REVIEW OF ENFORCEMENT RESPONSIBIL-  
4 ITIES.—

5 (A) A review of the enforcement respon-  
6 sibilities of the Customs Service.

7 (B) An assessment of the degree to which  
8 the current functions of the Customs Service  
9 overlap with the functions of other agencies and  
10 an identification of ways in which the Customs  
11 Service can avoid duplication of effort.

12 (C) A description of the methods used to  
13 ensure against misuse of personal search au-  
14 thority with respect to persons entering the  
15 United States at authorized ports of entry.

16 (5) STRATEGY FOR COMPREHENSIVE DRUG  
17 INTERDICTION.—

18 (A) A comprehensive strategy for the Cus-  
19 toms Service's role in United States drug inter-  
20 diction efforts.

21 (B) Identification of the respective roles of  
22 cooperating agencies, such as the Drug En-  
23 forcement Administration, the Federal Bureau  
24 of Investigation, the Coast Guard, and the in-  
25 telligence community, including—

1 (i) identification of the functions that  
2 can best be performed by the Customs  
3 Service and the functions that can best be  
4 performed by agencies other than the Customs  
5 Service; and

6 (ii) a description of how the Customs  
7 Service plans to allocate the additional  
8 drug interdiction resources authorized by  
9 this Act.

10 (6) ENHANCEMENT OF COOPERATION WITH  
11 THE TRADE COMMUNITY.—

12 (A) Identification of ways to expand co-  
13 operation with United States importers and  
14 customs brokers, United States and foreign car-  
15 riers, and other members of the international  
16 trade and transportation communities in order  
17 to improve the detection of contraband before it  
18 leaves a foreign port destined for the United  
19 States.

20 (B) Identification of ways to enhance the  
21 flow of information between the Customs Serv-  
22 ice and industry in order to—

23 (i) achieve greater awareness of po-  
24 tential compliance threats;

1 (ii) improve the design and efficiency  
2 of the commercial operations of the Cus-  
3 toms Service;

4 (iii) foster account-based manage-  
5 ment;

6 (iv) eliminate unnecessary and bur-  
7 densome regulations; and

8 (v) establish standards for industry  
9 compliance with customs laws.

10 (7) ALLOCATION OF RESOURCES.—

11 (A) An outline of the basis for the current  
12 allocation of inspection and investigative per-  
13 sonnel by the Customs Service.

14 (B) Identification of the steps to be taken  
15 to ensure that the Customs Service can detect  
16 any misallocation of the resources described in  
17 subparagraph (A) among various ports and a  
18 description of what means the Customs Service  
19 has for reallocating resources within the agency  
20 in order to meet particular enforcement de-  
21 mands or commercial operations needs.

22 (8) AUTOMATION AND INFORMATION TECH-  
23 NOLOGY.—

24 (A) Identification of the automation needs  
25 of the Customs Service, an explanation of the

1 current state of the Automated Commercial  
2 System, and the status of implementing a re-  
3 placement for that system.

4 (B) A comprehensive strategy for reaching  
5 the technology goals of the Customs Service,  
6 including—

7 (i) an explanation of the proposed ar-  
8 chitecture of any replacement for the Auto-  
9 mated Commercial System and how the ar-  
10 chitecture of the proposed replacement sys-  
11 tem best serves the core functions of the  
12 Customs Service;

13 (ii) identification of public and private  
14 sector automation projects that are com-  
15 parable and that can be used as a bench-  
16 mark against which to judge the progress  
17 of the Customs Service in meeting its tech-  
18 nology goals;

19 (iii) an estimate of the total cost for  
20 each automation project currently under-  
21 way at the Customs Service and a time-  
22 table for the implementation of each  
23 project; and

24 (iv) a summary of the options for fi-  
25 nancing each automation project.

1 (9) PERSONNEL POLICIES.—

2 (A) An overview of current personnel prac-  
3 tices, including a description of—

4 (i) performance standards;

5 (ii) the criteria for promotion and ter-  
6 mination;

7 (iii) the process for investigating com-  
8 plaints of bias and sexual harassment;

9 (iv) the criteria used for conducting  
10 internal investigations;

11 (v) the protection, if any, that is pro-  
12 vided for whistleblowers; and

13 (vi) the methods used to discover and  
14 eliminate corruption within the Customs  
15 Service.

16 (B) Identification of workforce needs for  
17 the future and training needed to ensure Cus-  
18 toms Service personnel stay abreast of develop-  
19 ments in international business operations and  
20 international trade that affect the operations of  
21 the Customs Service, including identification of  
22 any situations in which current personnel poli-  
23 cies or practices may impede achievement of the  
24 goals of the Customs Service with respect to  
25 both enforcement and commercial operations.



1           (c) APPROPRIATE COMMITTEES.—For purposes of  
2 this section, the term “appropriate committees” means the  
3 Committee on Finance of the Senate and the Committee  
4 on Ways and Means of the House of Representatives.

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