

NEWS IN BRIEF

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The Senate and the House have Passed Legislation on Goods from the Uyghur Region

The Senate and the House Have passed their own versions of the Uyghur Force Labor Prevention Act (SR. 65 and HR 1155). This Act will set enforcement restrictions on goods made from forced labor in the Xinjiang Uyghur Autonomous Region of China. Goods from that region will be prohibited from importation into the United States except for goods that have clear and convincing evidence that they were not made with forced labor. It also calls for sanctions to any foreign persons that facilitates the use of forced labor in this region. Members of the Senate and the House have said that they have agreement in the language and expect that the markup will quickly proceed through both chambers. You can find a link to the House version HR 1155 by clicking [here](#).

LA/LB Container Dwell Fee Postponed Again

The Ports of Long Beach and Los Angeles have announced that the Container Dwell Fee for containers sitting at the terminals too long will be postponed again. It will be held off until December 20. Since the fee was announced, the Ports have seen a 47% reduction in containers that were the cause for the fee. Both ports will continue to watch progress and will reassess the startup of the fee after another week.

Chris Magnus is Confirmed as the New Commissioner of CBP

The State has voted to approve the confirmation of Chris Magnus as the Commissioner of Customs and Border Protection. He comes to his new post from where he served as the Chief of the Tucson Police Department.

Magnus was nominated by President Biden on April 12, 2021, and finally approved on December 8, 2021.

Blumenauer Wants to Review the \$800, De Minimis for Section 321

In a hearing on China trade policy by the House Ways and Means Trade Subcommittee the Chair, Earl Blumenauer suggested that Chinese companies are using de minimis to evade U.S. trade laws. There were suggestions such as to reduce the \$800.00 de minimis amount or to deny Section 321 entry for goods subject to China 301 duties. Blumenauer has stated that Congress does need to look at the de minimis rule.

Update on 2022 Tariff Revision

The new changes in the HTSUS for 2022 as the result of the World Customs Organization's (WCO) 5-year review will not be in effect on January 1. There is a requirement that a Presidential Proclamation is required for them to go into effect. After the proclamation issued the new tariffs, they cannot be effective until 30 days after the Proclamation. The Proclamation has not been issued yet and we are checking the Federal Register daily for it.

Complaints on Demurrage and Detention

The National Customs Broker and Forwarders Association of America (NCBFAA) has issued some helpful instructions on dealing with carriers that will not deal with your complaints about excessive demurrage and detention.

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A freight forwarder, NVOCC, customs broker or beneficial cargo owner can submit a complaint about an ocean carrier via the Federal Maritime Commission (FMC) Unreasonable Practices Complaint Process. This process offers two options: You can bring to FF29@fmc.gov for an anonymous complaint (information-purposes only) or via CADRS@fmc.gov for an interactive dialogue forum with carrier/terminal hosted by FMC. NCBFAA has written an information sheet on dealing with CADRS that can be found by clicking [here](#).

For claims under \$50,00.00, a small claims complaint can be filed following FMC instructions you can find by clicking [here](#).

A handwritten signature in black ink, appearing to read 'T. Boice', with a horizontal line extending to the right.

By **Todd Boice**, President